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12 Witness [redacted]

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14 Witness [redacted]

15a Witness [redacted] - OSS Interview

15b Witness [redacted] - IAB interview

16a Suspect Brian Miranda – OSS Interview

16b Suspect Brian Miranda – IAB Interview

EXHIBITS

A Incident Report, Supplemental Reports, CHP-180 file number 021-01717-1418-055.

B (1) DVD containing audio of radio traffic.

C (2) Traffic Collision Reports.

D Taser download data sheet.

E Flash drive containing (5) Cell phone recordings, (32) BWC Videos, Photographs, Audio of interview refusal by [redacted].

F Los Angeles County Superior Court, Court Minutes for case #KA126764.

G Suspect Brian Miranda medical report, discharge summary from Queen of the Valley Hospital.

H Email correspondence by Dr. Eric Tran dated November 1, 2021.

I Los Angeles County Sheriff's Department Scientific Services Bureau Crime Scene Investigation Report completed by FIS Jane Mak, dated April 20, 2021.

J (1) CD containing Los Angeles County Sheriff's Department Scientific Services Bureau, crime scene photographs by FIS Jane Mak.

K Email correspondence by OSS Detective Lopez affirming the surveillance camera footage investigation by OSS Detective Bottomley, dated August17, 2021.

L Geospatial Technology (GST) Tracker Report, dated February 16, 2021.

M Deputy Tran signed printouts from IAB interview, dated March 16, 2021.

MISCELLANEOUS DOCUMENTS

Administrative Rights Force/Shooting Investigation Forms.

Industry Station – PM Shift In-Service, dated February 16, 2021.

Los Angeles County Consolidated Criminal History Reporting System (CCHRS) report for Brian Alfred Miranda.

POST training records and range qualification records of involved employee Deputy John Tran.

Incident Report file number 021-01784-1410-055, dated February 18, 2021.

Los Angeles County Sheriff's Department

Officer Involved Shooting

Report Date:	Bureau/Station/Facility:	Admin. Invest.?	Hit?
February 16, 2021	East Patrol Division / Industry Station	[ ]	[ ]

Incident Information

URN: 021-01717-1418-055	Date: February 16,2021 Time: 1930 hours
City or Station: Industry Station	Nature of Incident: The suspect pointed a replica handgun at a deputy which resulted in a deputy involved non-hit shooting.
Location: Gale Avenue and Plaza Drive, Industry, CA	

Location Type (*check one or more*):
- [ ] Backyard
- [ ] Beach
- [x] Business
- [ ] Freeway
- [ ] Industrial
- [ ] Park
- [ ] Parking Lot
- [ ] Residence
- [ ] Rural
- [ ] School
- [x] Street
- Other:

Lighting (*check only one*):
- [x] Darkness
- [ ] Daylight
- [ ] Other
- [x] Street Lights

Weather (*circle only one*):
- [x] Clear
- [ ] Cloudy
- [ ] Fog
- [ ] Rain

Distance: Approx. 8'

Total # of Shots Fired by Deputy: 15

Total # of Shots Fired by Suspect: 0

Incident Type (*check one or more*):
- [ ] Accidental
- [x] Armed Person
- [x] Fleeing Suspect
- [x] Foot Pursuit
- [ ] Gun Take Away
- [ ] Moving Vehicle
- [ ] Sniper/Ambush
- [ ] Startle
- [x] Struggle Involved
- [ ] Traffic Stop
- [ ] Unarmed Person
- [ ] Unintentional
- [ ] Vehicle Pursuit
- [ ] Warrant Service
- [ ] Warning Shot
- Other:

Initiated by (*check only one*):
- [ ] Arrest Warrant
- [ ] Call
- [x] Observation
- [ ] One Person Unit
- [ ] Other
- [ ] Search Warrant
- [ ] Two Person Unit

Prior Activity (*check only one*):
- [ ] Detective
- [ ] Inmate Transport
- [ ] Other
- [x] Routine Patrol

Aero Unit? [ ]   Canine Unit? [ ]

Employee Witnesses

Employee #	Last Name	First Name	M.I.	ShiftTime (*check only one*)	ShiftType (*check only one*)
[redacted]	Ortega	Gary	A.	[ ] EM [x] PM [ ] Day	[x] Regular [ ] Overtime [ ] Off Duty
				[ ] EM [ ] PM [ ] Day	[ ] Regular [ ] Overtime [ ] Off Duty
				[ ] EM [ ] PM [ ] Day	[ ] Regular [ ] Overtime [ ] Off Duty

Non-Employee Witnesses

Last Name	First Name	M.I.	Street Address	City	Zip Code	Work Ph	Home Ph
[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	N/A	[redacted]
[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	N/A	[redacted]
[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	N/A	[redacted]

Supervisors

Employee #	Last Name	First Name	M.I.	(*check one or more*)
[redacted]	Durante	Vincent	F.	[x] On Duty [ ] Present during shooting [ ] Witness to shooting [ ] Involved in shooting
[redacted]	Castellanos	Nicolas	-	[x] On Duty [ ] Present during shooting [ ] Witness to shooting [ ] Involved in shooting

Watch Sergeant

Employee #	Last Name	First Name	M.I.
[redacted]	Martinez	Armando	NMN

Watch Commander

Employee #	Last Name	First Name	M.I.
[redacted]	Long	James	P.

PSTD Use Only

SH # 2526118

Officer Involved Shooting
Involved Employee Information

URN: 021-01717-1418-055

Involved Employee

E 1

Field	Value
Employee #	[redacted]
Last Name	Tran
First Name	John
M.I.	P.
Sex	M
Race	A
Rank	DSG
Unit Assignment	Industry Station
Work Assignment (Unit #, Module, etc.)	141T5
ShiftTime (*circle only one*)	☐ EM ☑ PM ☐ Day
ShiftType (*circle only one*)	☑ Regular ☐ Overtime ☐ Off Duty
Intoxication/Drug Usage?	☐
Substance Used	
Hospital Admission?	☐
Hospital Name	N/A
Coroner Case?	☐
Coroner Case #	N/A
Interviewed?	☑
Hrs of sleep prior to shooting	Did not recall
Duty Time (hrs)	1400-0000
Clothing (*circle only one*)	☐ Plain Clothes no Vest ☐ Raid Jacket w/ Vest ☐ Plain Clothes w/ Vest ☐ Uniform no Vest ☐ Raid Jacket no Vest ☑ Uniform w/ Vest
Other Factors	
Age	33
Height	508
Weight	130
Range Qualification Date	[redacted]
PPC Qualification Date	[redacted]
Laser Training Date	[redacted]
[redacted]	[redacted]
[redacted]	[redacted]
Certification Unit	
Prior Shootings?	☐
Number of Prior Shootings	0
Directed Force	☐
Weapons Fired Brand	Sig Saur
Caliber	9
# Shots	15
Weapons Fired Brand	
Caliber	
# Shots	
Field Training Officer Emp #	[redacted]
Last Name	[redacted]
First Name	[redacted]
M.I.	[redacted]
Field Training Officer Emp #	[redacted]
Last Name	[redacted]
First Name	[redacted]
M.I.	-

E __

Field	Value
Employee #	
Last Name	
First Name	
M.I.	
Sex	
Race	
Rank	
Unit Assignment	
Work Assignment (Unit #, Module, etc.)	
ShiftTime (*circle only one*)	☐ EM ☐ PM ☐ Day
ShiftType (*circle only one*)	☐ Regular ☐ Overtime ☐ Off Duty
Intoxication/Drug Usage?	☐
Substance Used	
Hospital Admission?	☐
Hospital Name	
Coroner Case?	☐
Coroner Case #	
Interviewed?	☐
Hrs of sleep prior to shooting	
Duty Time (hrs)	
Clothing (*circle only one*)	☐ Plain Clothes no Vest ☐ Raid Jacket w/ Vest ☐ Plain Clothes w/ Vest ☐ Uniform no Vest ☐ Raid Jacket no Vest ☐ Uniform w/ Vest
Other Factors	
Age	
Height	
Weight	
Range Qualification Date	
PPC Qualification Date	
Laser Training Date	
Certified with Weapon Used?	☐
Patrol Certification?	☐
Certification Unit	
Prior Shootings?	☐
Number of Prior Shootings	
Directed Force	☐
Weapons Fired Brand	
Caliber	
# Shots	
Weapons Fired Brand	
Caliber	
# Shots	
Field Training Officer Emp #	
Last Name	
First Name	
M.I.	
Field Training Officer Emp #	
Last Name	
First Name	
M.I.	

E __

Field	Value
Employee #	
Last Name	
First Name	
M.I.	
Sex	
Race	
Rank	
Unit Assignment	
Work Assignment (Unit #, Module, etc.)	
ShiftTime (*circle only one*)	☐ EM ☐ PM ☐ Day
ShiftType (*circle only one*)	☐ Regular ☐ Overtime ☐ Off Duty
Intoxication/Drug Usage?	☐
Substance Used	
Hospital Admission?	☐
Hospital Name	
Coroner Case?	☐
Coroner Case #	
Interviewed?	☐
Hrs of sleep prior to shooting	
Duty Time (hrs)	
Clothing (*circle only one*)	☐ Plain Clothes no Vest ☐ Raid Jacket w/ Vest ☐ Plain Clothes w/ Vest ☐ Uniform no Vest ☐ Raid Jacket no Vest ☐ Uniform w/ Vest
Other Factors	
Age	
Height	
Weight	
Range Qualification Date	
PPC Qualification Date	
Laser Training Date	
Certified with Weapon Used?	☐
Patrol Certification?	☐
Certification Unit	
Prior Shootings?	☐
Number of Prior Shootings	
Directed Force	☐
Weapons Fired Brand	
Caliber	
# Shots	
Weapons Fired Brand	
Caliber	
# Shots	
Field Training Officer Emp #	
Last Name	
First Name	
M.I.	
Field Training Officer Emp #	
Last Name	
First Name	
M.I.	

See Other Side

Officer Involved Shooting
Suspect Information

Suspect Information

S 1

Last Name: Miranda		First Name: Brian	M.I. A.
AKA Last Name: MirandaCaraballo		First Name: Brian	M.I. A.
Sex: M Race: H	Street Address: 15202 Prichard Street	City: La Puente	State & Zip Code: CA 91744
Work Phone: None	Home Phone: None	Social Security #: [redacted]	Driver's License #: [redacted]
Age: 37 D.O.B. 07/02/1984	Height: 506 Weight: 180	FBI #: [redacted]	CII #: [redacted]
Booking # 6127064	Primary Charge: 417.8 PC	Secondary Charge: 69 PC	
Coroner Case? ☐	Coroner Case #	Intoxication/Drug Usage? ☑	Substance Used: Methamphetamine/Heroin
Armed? ☑	Apprehended? ☑	[redacted]	[redacted]
Vehicle Make: Dodge		Model: Challenger	Year: 2018

S

Last Name		First Name	M.I.
AKA Last Name		First Name	M.I.
Sex: Race:	Street Address:	City	State & Zip Code:
Work Phone:	Home Phone:	Social Security #:	Driver's License #:
Age: D.O.B.	Height: Weight:	FBI #	CII #
Booking #	Primary Charge:	Secondary Charge:	
Coroner Case? ☐	Coroner Case #	Intoxication/Drug Usage? ☐	Substance Used:
Armed? ☐	Apprehended? ☐	Mental Illness? ☐	Criminal History? ☐
Vehicle Make		Model:	Year:

S

Last Name		First Name	M.I.
AKA Last Name		First Name	M.I.
Sex: Race:	Street Address:	City	State & Zip Code:
Work Phone:	Home Phone:	Social Security #:	Driver's License #:
Age: D.O.B.	Height: Weight:	FBI #	CII #
Booking #	Primary Charge:	Secondary Charge:	
Coroner Case? ☐	Coroner Case #	Intoxication/Drug Usage? ☐	Substance Used:
Armed? ☐	Apprehended? ☐	Mental Illness? ☐	Criminal History? ☐
Vehicle Make		Model:	Year:

S

Last Name		First Name	M.I.
AKA Last Name		First Name	M.I.
Sex: Race:	Street Address:	City	State & Zip Code:
Work Phone:	Home Phone:	Social Security #:	Driver's License #:
Age: D.O.B.	Height: Weight:	FBI #	CII #
Booking #	Primary Charge:	Secondary Charge:	
Coroner Case? ☐	Coroner Case #	Intoxication/Drug Usage? ☐	Substance Used:
Armed? ☐	Apprehended? ☐	Mental Illness? ☐	Criminal History? ☐
Vehicle Make		Model:	Year:

See Other Side

SUPPLEMENTAL NON-EMPLOYEE WITNESSES
Los Angeles County Sheriff's Department

Non-Employee Witnesses

Last Name	First Name	M.I.	Street Address	Zip Code	Work Ph	Home Ph
[redacted]	[redacted]	NMN	[redacted]	[redacted]	N/A	[redacted]
[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	N/A	[redacted]
[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	N/A	[redacted]
[redacted]	[redacted]	NMN	[redacted]	[redacted]	N/A	[redacted]
[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	N/A	[redacted]
[redacted]	[redacted]	NMN	[redacted]	[redacted]	N/A	[redacted]
[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	N/A	[redacted]
[redacted]	[redacted]	NMN	[redacted]	[redacted]	N/A	[redacted]

Officer Involved Shooting

N: 021-01717-1418-055

Rollout Information

Arrival Date	Arrival Time	Date Submitted	Date of Recommendation
02/16/2021	2100	11/04/21	

Employee #	Last Name	First Name	M.I.
[redacted]	Arellano	Thomas	M.
[redacted]	Arballo	Carmen	A.
[redacted]	Chapman	Scott	D.

Shooting / Force Information

Method

(AW) Arwen
(BC) Baton:(Control)
(BI) Baton:(Impact)
(BF) Bodily Fluids
(CN) Canine
(CR) Carotid Restraint
(CH) Choke Hold
(CT) Control Holds:(Control Techniques)
(TT) Control Holds:(Team Takedown)
(TD) Control Holds:(Takedown)
(CE) Chemical
(OC) Chemical Agents (OC Spray)
(TG) Chemical Agents (Tear Gas)
(EX) Explosives
(FH) Firearm (Handgun)
(FR) Firearm (Rifle)
(FS) Firearm (Shotgun)
(FO) Firearm (Other)
(FB) Flashbang
(FL) Flashlight
(OE) Other Weapon: Edged
(OV) Other Weapon: Vehicle
(OB) Other Weapon: Blunt Object
(OO) Other Weapon: Other
(PK) Personal Weapon: Feet/Leg: (Kick)
(PS) Personal Weapon: Feet/Leg: (Sweep)
(PH) Personal Weapon (Hand/Arm)
(PP) Personal Weapon (Push)
(PO) Personal Weapon (Other)
(RS) Resistance
(CN) Restraint Device (Capture Net)
(RH) Restraint Device (Handcuffs)
(HB) Restraint Device:Hobble (Legs Only)
(TP) Restraint Device:Hobble (TARP)
(RE) Restraint Device: REACT Belt
(SP) Sap
(SH) Shield
(SG) 37mm Stinger
(SB) Sting Ball
(ST) Stun Bag
(TR) Taser
(UC) Uncooperative

Type of Injury

(AB) Abrasion
(BR) Bruise
(BU) Burn
(CP) Complaint of Pain
(CO) Concussion
(DH) Death
(DI) Dislocation
(DB) Dog Bite
(FR) Fractures
(GS) Gunshot
(HB) Human Bite
(LC) Lacerations
(ND) Nerve Damage
(OD) Organ Damage
(PA) Paralysis
(PW) Puncture Wound
(SD) Soft Tissue Damage
(ST) Sprain/Twists
(UN) Unconscious
(RM) Refused Med Treatment
(NN) NONE

Body Part Injured

(AD) Abdomen
(AK) Ankle
(AR) Arm
(BK) Back
(BT) Buttocks
(CH) Chest
(EL) Elbow
(FA) Face
(FE) Feet
(FI) Fingers
(GE) Genitals
(GR) Groin
(HD) Hand
(HE) Head
(HI) Hip
(IN) Internal
(KN) Knees
(LE) Leg
(NK) Neck
(SH) Shoulder
(WR) Wrist

Brand

(AK) AK-47
(BN) Benelli
(BR) Beretta
(BW) Browning
(CH) Charter Arms
(CO) Colt
(DA) Davis Industries
(GL) Glock
(HA) Harrington & Richardson
(HI) Hi Standard
(HK) H & K
(IT) Ithica
(IV) Iver Johnson
(JE) Jennings
(LO) Lorcin
(LU) Luger
(MA) Marlin
(MO) Mossberg
(NC) NCI aka SKS
(NA) North American
(NO) Norinco
(RA) Raven
(RM) Remington
(RG) RG
(RI) RGI
(RO) Rossi
(SW) Smith & Wesson
(SR) Sturm Ruger
(SS) SIG Sauer
(ST) Sterling
(TA) Taurus
(WE) Weatherby
(WN) Winchester
(US) US Government
(YY) Handmade (Inmate)
(XX) Homemade (Non-Inmate)
(ZZ) Other Brand

Caliber

(9) 9 mm
(10) 10 mm
(12) 12 guage
(20) 20 guage
(21) .22-250
(22) .22 caliber
(23) .223 caliber
(24) .243 caliber
(25) .25 caliber
(30) .308 caliber
(35) .357 caliber
(36) 30-60 caliber
(38) .38 caliber
(40) .40 caliber
(41) .410 guage
(44) .44 caliber
(45) .45 caliber
(50) 50 mm
(SL) Slug
(WW) Other caliber

FORCE APPLIED *(one code per block)*

Used By (E# or S#)	Used Against (E# or S#)	Method (Code)	Brand (Code)	Caliber (Code)	Authorized Weapon? (Y/N)	Authorized Ammunition? (Y/N)	Type of Injury (Code)	Body Part (Code)
S #1	E #1	FO	SS	WW			NN	NN
E #1	S #1	FH	SS	9	Y	Y	NN	NN

See Front Side

Los Angeles County Sheriff's Department
Supervisor's Report on Use of Force

Incident Information

URN: 021-01717-1418-051	Date: 02/16/2021	Time: 1930 Hours	
Location: Gale Avenue / Plaza Drive	City or Station: Industry		
Bureau/Station/Facility: East Patrol Division / Industry Station	Admin. Investigation: ○ YES ◉ NO		
Type of Force: Taser/Chemical Agent/Control Hold/Firearm			
Incident Category: ○1 ○2 ◉3	Deputy Injury: ○ YES ◉ NO	Suspect Injury ◉ YES ○ NO	
☐ Call	☒ Observation	☐ Detail	☒ Foot Pursuit ☒ Vehicle Pursuit
IAB Notified: ◉ YES ○ NO	Person Notified: Lt. Eric Smitson	Emp: [redacted]	IAB Roll Out ◉ YES ○ NO

Involved Employee

E 1

Employee #	Last Name	First Name	Middle I.	Rank
[redacted]	Tran	John	P.	Dep.

Sex	Race	Height	Weight	Age	Shift	
◉ M ○ F	A	5'08"	130	33	○ EM ○ Day ◉ PM	◉ Regular Shift ○ OT Shift ○ Off Duty

Unit of Assignment: Industry Station

Work Assignment (Unit #, Module, etc.): 141T5

Individual Force Used: Taser/Chemical Agent/Control Hold/Firearm — ○ Directed ○ Rescue ○ Medical Assist — Individual Category ○1 ○2 ◉3

☐ Injured ☐ Treated ☐ Admitted Facility: ______ Coroner Case #

E__

Employee #	Last Name	First Name	Middle I.	Rank

Sex	Race	Height	Weight	Age	Shift	
○ M ○ F					○ EM ○ Day ○ PM	○ Regular Shift ○ OT Shift ○ Off Duty

Unit of Assignment:

Work Assignment (Unit #, Module, etc.):

Individual Force Used: ○ Directed ○ Rescue ○ Medical Assist — Individual Category ○1 ○2 ○3

☐ Injured ☐ Treated ☐ Admitted Facility: ______ Coroner Case #

E__

Employee #	Last Name	First Name	Middle I.	Rank

Sex	Race	Height	Weight	Age	Shift	
○ M ○ F					○ EM ○ Day ○ PM	○ Regular Shift ○ OT Shift ○ Off Duty

Unit of Assignment:

Work Assignment (Unit #, Module, etc.):

Individual Force Used: ○ Directed ○ Rescue ○ Medical Assist — Individual Category ○1 ○2 ○3

☐ Injured ☐ Treated ☐ Admitted Facility: ______ Coroner Case #

☐ Additional Involved Employees

On Duty Supervisor

Emp. #	Last Name	First Name	Middle I.	Rank	Present	Witness to Incident
[redacted]	Castellanos	Nicolas	-	Sgt.	YES ○ NO ◉	YES ○ NO ◉

Supervisor Completing Investigation

Emp. #	Last Name	First Name	Middle I.	Rank	Present	Witness to Incident
[redacted]	Cardenas	Richard	A	Sgt.	YES ○ NO ◉	YES ○ NO ◉

Watch Commander / Supervising Lieutenant

Emp. #	Last Name	First Name	Middle I.	Rank
[redacted]	Saucedo	Jesus	-	Lt.

LT. SAUCEDO [signature] — Watch Commander / Supervising Lieutenant's **Signature**: — 12/9/21 Date — Copy Provided to Employee by: — Emp #: [redacted] — 12-10-21 Date

Captain Ron Kopperud — Unit Commander **(Print Name)** — [signature] Unit Commander's **Signature**: — Emp #: [redacted]

DISCOVERY Use Only — FO#

☐ PPI REVIEW COMPLETED

Original: Discovery Unit
Copy: Unit Commander

Supervisor's Report on Use of Force
SUSPECT INFORMATION

0 2 1 - 0 1 7 1 7 - 1 4 1 8 - 0 5 1

Suspect Information

S 1

Last Name	First Name	Middle Name	Armed? Select
Miranda	Brian	Albert	Firearm (Other)

AKA Last Name	First Name	Middle Name
MirandaCarballo	Brian	Albert

Sex:	Race:	Age:	Height:	Weight	D.O.B:	Phone #1: ○ H ○ W ◉ C	Phone #2: ○ H ○ W ○ C
◉ Male ○ Female	H	37	506	180	07/02/84	[redacted]	None given

Street Address:	City:	State & Zip Code:
[redacted]	[redacted]	[redacted]

Booking #: 6127064 Primary Charge Code: 417.8 PC Secondary Charge Code: 2800.2 CVC ☒ Criminal History

Treated on Scene? ◉ YES ○ NO Name: LACoF Capt. Jones Unit: 118 Phone #: [redacted]

Hospital Admission? ☒ Rec'd Treatment At: Emanate Health Coroner Case #: N/A Mental History ☐ User's guide provides direction on this entry

By: Dr. Cadeiro Address: 1115 S. Sunset Avenue, West Covina,CA Phone #: (626) 962-4011

Under Influence: ◉ YES ○ NO Substance: CNS Stimulant 5150 a factor in force? ○ YES ◉ NO User's guide provides direction on this entry

Date: 02/17/21 Time: 1734 ☒ Audiotape: ☐ Videotape: ☒ Photos of Injuries: ☐ ADMITS HEARING ANNOUNCEMENTS

Suspect Information

S__

Last Name	First Name	Middle Name	Armed? Select

AKA Last Name	First Name	Middle Name

Sex:	Race:	Age:	Height:	D.O.B.	Weight:	Phone #1: ○ H ○ W ○ C	Phone #2: ○ H ○ W ○ C
○ Male ○ Female							

Street Address:	City:	State & Zip Code:

Booking #: Primary Charge Code: Secondary Charge Code: ☐ Criminal History

Treated on Scene? ○ YES ○ NO By: Unit: Phone #:

Hospital Admission? ☐ Rec'd Treatment At: Coroner Case #: Mental History ☐ User's guide provides direction on this entry

By: Address: Phone #:

Under Influence: ○ YES ○ NO Substance: 5150 a factor in force? ○ YES ○ NO User's guide provides direction on this entry

Suspect Interview

Date: Time: ☐ Audiotape: ☐ Videotape: ☐ Photos of Injuries: ☐ ADMITS HEARING ANNOUNCEMENTS

Suspect Information

S__

Last Name	First Name	Middle Name	Armed? Select

AKA Last Name	First Name	Middle Name

Sex:	Race:	Age:	Height:	D.O.B.	Weight:	Phone #1: ○ H ○ W ○ C	Phone #2: ○ H ○ W ○ C
○ Male ○ Female							

Street Address:	City:	State & Zip Code:

Booking #: Primary Charge Code: Secondary Charge Code: ☐ Criminal History

Treated on Scene? ○ YES ○ NO By: Unit: Phone #:

Hospital Admission? ☐ Rec'd Treatment At: Coroner Case #: Mental History ☐ User's guide provides direction on this entry

By: Address: Phone #:

Under Influence: ○ YES ○ NO Substance: 5150 a factor in force? ○ YES ○ NO User's guide provides direction on this entry

Suspect Interview

Date: Time: ☐ Audiotape: ☐ Videotape: ☐ Photos of Injuries: ☐ ADMITS HEARING ANNOUNCEMENTS

☐ **Additional Suspects Involved**

Supervisor's Report on Use of Force
EMPLOYEE / NON-EMPLOYEE INFORMATION

0 2 1 - 0 1 7 1 7 - 1 4 1 8 - 0 5 1

Employee Witnesses

Emp. #	Last Name	First Name	Middle Name
[redacted]	Ortega	Gary	Andrew

Unit of Assignment:	Work Assignment (Unit #, Module, etc.):	Shift:	
Industry Station	141E	○ EM ○ Day ◉ PM	◉ Regular ○ OT ○ Off Duty

Emp. #	Last Name	First Name	Middle Name
[redacted]	Castellanos	Nicolas	NMN

Unit of Assignment:	Work Assignment (Unit #, Module, etc.):	Shift:	
Industry Station	142S	◉ EM ○ Day ○ PM	◉ Regular ○ OT ○ Off Duty

Emp. #	Last Name	First Name	Middle Name
[redacted]	Durante	Vincent	Froylan

Unit of Assignment:	Work Assignment (Unit #, Module, etc.):	Shift:	
Industry	140S	○ EM ○ Day ◉ PM	◉ Regular ○ OT ○ Off Duty

Non-Employee Witnesses

Last Name	First Name	Middle Name	Age	D.O.B.
[redacted]	[redacted]	[redacted]	69	[redacted]

Street Address	City	Zip Code	Phone #1	Phone #2
[redacted]	[redacted]	[redacted]	[redacted]	N/A

Last Name	First Name	Middle Name	Age	D.O.B.
[redacted]	[redacted]	[redacted]	40	[redacted]

Street Address	City	Zip Code	Phone #1	Phone #2
[redacted]	[redacted]	[redacted]	[redacted]	N/A

Last Name	First Name	Middle Name	Age	D.O.B.
[redacted]	[redacted]	[redacted]	[redacted]	[redacted]

Street Address	City	Zip Code	Phone #1	Phone #2
[redacted]	[redacted]	[redacted]	[redacted]	N/A

Last Name	First Name	Middle Name	Age	D.O.B.
[redacted]	[redacted]	NMN	47	[redacted]

Street Address	City	Zip Code	Phone #1	Phone #2
[redacted]	[redacted]	[redacted]	[redacted]	N/A

Last Name	First Name	Middle Name	Age	D.O.B.
[redacted]	[redacted]	[redacted]	31	[redacted]

Street Address	City	Zip Code	Phone #1	Phone #2
[redacted]	[redacted]	[redacted]	[redacted]	N/A

Last Name	First Name	Middle Name	Age	D.O.B.
[redacted]	[redacted]	[redacted]	40	[redacted]

Street Address	City	Zip Code	Phone #1	Phone #2
[redacted]	[redacted]	[redacted]	[redacted]	N/A

Last Name	First Name	Middle Name	Age	D.O.B.
[redacted]	[redacted]	NMN	20	[redacted]

Street Address	City	Zip Code	Phone #1	Phone #2
[redacted]	[redacted]	[redacted]	[redacted]	N/A

Last Name	First Name	Middle Name	Age	D.O.B.
[redacted]	[redacted]	[redacted]	22	[redacted]

Street Address	City	Zip Code	Phone #1	Phone #2
[redacted]	[redacted]	[redacted]	[redacted]	N/A

Last Name	First Name	Middle Name	Age	D.O.B.
[redacted]	[redacted]	NMN	20	[redacted]

Street Address	City	Zip Code	Phone #1	Phone #2
[redacted]	[redacted]	[redacted]	[redacted]	N/A

☒ **Additional Witness**

Supervisor's Report on Use of Force
EMPLOYEE / NON-EMPLOYEE INFORMATION - Continuation

0 2 1 - 0 1 7 1 7 - 1 4 1 8 - 0 5 1

Employee Witnesses

Emp. #	Last Name	First Name	Middle Name

Unit of Assignment:	Work Assignment (Unit #, Module, etc.):	Shift: ◯ EM ◯ Day ◯ PM	◯ Regular ◯ OT ◯ Off Duty

Emp. #	Last Name	First Name	Middle Name

Unit of Assignment:	Work Assignment (Unit #, Module, etc.):	Shift: ◯ EM ◯ Day ◯ PM	◯ Regular ◯ OT ◯ Off Duty

Emp. #	Last Name	First Name	Middle Name

Unit of Assignment:	Work Assignment (Unit #, Module, etc.):	Shift: ◯ EM ◯ Day ◯ PM	◯ Regular ◯ OT ◯ Off Duty

Non-Employee Witnesses

Last Name	First Name	Middle Name	Age	D.O.B.
[redacted]	[redacted]	[redacted]	18	[redacted]

Street Address	City	Zip Code	Phone #1	Phone #2
[redacted]	[redacted]	[redacted]	[redacted]	N/A

Last Name	First Name	Middle Name	Age	D.O.B.
[redacted]	[redacted]	NMN	30	[redacted]

Street Address	City	Zip Code	Phone #1	Phone #2
[redacted]	[redacted]	[redacted]	[redacted]	N/A

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

Method

(AW) Arwen
(BC) Baton: (Control)
(BI) Baton: (Impact)
(BF) Bodily Fluids
(CN) Canine
(CR) Carotid Restraint
(CH) Choke Hold
(CT) Control Holds: (Control Techniques)
(TT) Control Holds: (Team Takedown)
(TD) Control Holds: (Takedown)
(CE) Chemical
(OC) Chemical Agents (OC Spray)
(TG) Chemical Agents (Tear Gas)
(EX) Explosives
(FH) Firearm (Handgun)
(FR) Firearm (Rifle)
(FS) Firearm (Shotgun)
(FO) Firearm (Other)
(FB) Flashbang
(FL) Flashlight
(OE) Other Weapon: Edged
(OV) Other Weapon: Vehicle
(OB) Other Weapon: Blunt Object
(OO) Other Weapon: Other
(PK) Personal Weapon: Feet/Leg: (Kick)
(PS) Personal Weapon: Feet/Leg: (Sweep)
(PH) Personal Weapon (Hand/Arm)
(PP) Personal Weapon (Push)
(PO) Personal Weapon (Other)
(RS) Resistance
(RO) Restraint Device (Other)
(RH) Restraint Device (Handcuffs)
(HB) Restraint Device: Hobble (Legs Only)
(TP) Restraint Device: Hobble (TARP)
(RE) Restraint Device: REACT Belt
(SP) Sap
(SH) Shield
(IR) Less Lethal Impact Round (other)
(SB) Sting Ball
(ST) Stun Bag
(TR) Taser
(UC) Uncooperative
(HR) High Risk

Type of Injury

(AB) Abrasion
(BR) Bruise
(BU) Burn
(CP) Complaint of Pain
(CO) Concussion
(DH) Death
(DI) Dislocation
(DB) Dog Bite
(FR) Fractures
(GS) Gunshot
(HB) Human Bite
(LC) Lacerations
(ND) Nerve Damage
(OD) Organ Damage
(PA) Paralysis
(PW) Puncture Wound
(SD) Soft Tissue Damage
(ST) Sprain/Twists
(UN) Unconscious
(RM) Refused Med Treatment
(NN) NONE

Body Part Involved

(AD) Abdomen
(AK) Ankle
(AR) Arm
(BK) Back
(BT) Buttocks
(CH) Chest
(EL) Elbow
(FA) Face
(FE) Feet
(FI) Fingers
(GE) Genitals
(GR) Groin
(HD) Hands
(HE) Head
(HI) Hip
(IN) Internal
(KN) Knees
(LE) Leg
(NK) Neck
(NO) Nose
(SH) Shoulder
(WR) Wrist

FORCE USED BY		FORCE USED AGAINST		Method (Code)	Type of Injury (Code)	Body Part (Code)
Name	E# or S#	Name	E# or S#			
Suspect Miranda	S#1	Deputy Tran	E#1	UC	NN	NN
Suspect Miranda	S#1	Deputy Tran	E#1	FO	NN	NN
Deputy Tran	E#1	Suspect Miranda	S#1	TR	SD	CH
Suspect Miranda	S#1	Deputy Tran	E#1	FO	NN	NN
Deputy Tran	E#1	Suspect Miranda	S#1	FH	NN	NN
Suspect Miranda	S#1	Deputy Tran	E#1	FO	NN	NN
Deputy Tran	E#1	Suspect Miranda	S#1	FH	NN	NN
Suspect Miranda	S#1	Deputy Tran	E#1	UC	NN	NN
Deputy Tran	E#1	Suspect Miranda	S#1	OC	CP	FA
Suspect Miranda	S#1	Deputy Tran	E#1	RS	NN	WR
Deputy Tran	E#1	Suspect Miranda	S#1	CT	NN	WR

INVESTIGATIVE SUMMARY

COUNTY OF LOS ANGELES
SHERIFF'S DEPARTMENT

INVESTIGATIVE SUMMARY

INCIDENT: **On-Duty Non-Hit Shooting**

IAB FILE NUMBER: **SH 2526118 / FO 2538678**

URN#: **021-01717-1418-055**

DATE/TIME: **February 16, 2021, 1924 hours**

LOCATION: **Gale Avenue/Plaza Drive, Industry**

SYNOPSIS

On February 16, 2021, at approximately 2100 hours, an Internal Affairs Bureau (IAB) response team comprised of Lieutenant Thomas Arellano, #[redacted], Sergeant Scott Chapman, [redacted], and Sergeant Carmen Arballo, [redacted], responded to Industry Station regarding an on-duty non-hit shooting incident. On April 14, 2021, this case was reassigned to Sergeant Richard Cardenas, #[redacted].

IAB Lieutenant Arellano advised that the Industry Station on-duty watch commander took reasonable steps to ensure the involved employee and witness personnel did not discuss the incident amongst themselves or with uninvolved persons prior to being interviewed by Operation Safe Streets Bureau (OSS) detectives.

OSS Detectives Eric Saavedra, #[redacted], and [redacted], #[redacted], responded and assumed control over the criminal investigation. For further information regarding the initial investigation refer to the incident report and associated supplemental reports under file number 021-01717-1418-055 **[EXHIBIT A]**.

SUMMARY

On February 16, 2021, at approximately 1924 hours, Industry Station Deputy John Tran was assigned to Unit 141T5, a one person traffic enforcement radio car. Deputy Tran was stopped at a red light on Azusa Avenue in the city of Industry. He was facing northbound in the number two left turn lane. Directly across the intersection, Deputy Tran noticed a dark colored vehicle (suspect's vehicle) with its headlights off during the dark evening hours, a violation of 24250 CVC. Deputy Tran believed the vehicle was a dark colored Ford Mustang with existing front-end body damage. The suspect's vehicle was facing southbound on Azusa Avenue in the number one lane. Adjacent to the suspect's vehicle were two left-turn lanes which turned eastbound onto Gale Avenue.

As the vehicles in the left-turn lane, adjacent to the suspect vehicle, turned to proceed eastbound onto Gale Avenue, the suspect vehicle cut them off, a violation of 22107 CVC, and accelerated through the intersection at a high rate of speed, a violation of 22350 CVC. The suspect's vehicle continued to travel eastbound on Gale Avenue at a high rate of speed. After observing the traffic violations, Deputy Tran activated the emergency lights of his patrol vehicle, without the siren, in an effort to warn other drivers of his presence, as he entered the intersection. Deputy Tran cleared the intersection to avoid being struck by oncoming traffic and proceeded eastbound on Gale Avenue. Deputy Tran kept his emergency lights activated while he continued on Gale Avenue.

Deputy Tran described the area of Gale Avenue, just east of Azusa Avenue, as having a sharp south-east curve with an uphill to downhill slope on the road. Deputy Tran lost sight of the suspect's vehicle immediately after he cleared the intersection due to the curve and slope of the road. Deputy Tran continued eastbound on Gale Avenue and did not see the suspect's vehicle. Deputy Tran initiated radio traffic over L-Tac **[EXHIBIT B]** asking if any units were near Gale Avenue and Stoner Creek Road, and advised that a Mustang had driven away from him.

Deputy Tran traveled eastbound on Gale Avenue, and as he approached the intersection of Gale Avenue and Plaza Drive, he noticed a dark colored vehicle had crashed into a traffic signal pole on the southeast corner. The vehicle was a burgundy Dodge Challenger. Refer to Traffic Collision reports under file numbers 921-01718-1418-251 and 921-01719-1418-472 **[EXHIBIT C]**. The vehicle appeared to have recently crashed because there was smoke coming from the front side. Deputy Tran saw a dark figure (Suspect Miranda) running eastbound along the south sidewalk from the site of the traffic collision. Deputy Tran drove past Suspect Miranda in an attempt to cut him off as he turned southbound into a shopping center entrance and stopped along the east side of a building, 18250 Gale Avenue. His intention was to detain Suspect Miranda from fleeing the scene of a traffic collision, a violation of 20001(a) CVC, and to render aid if needed.

The shopping center consisted of a large parking lot surrounded by various business buildings and restaurants, including a "FedEx" shipping center. Several of the businesses were closed at the time of the incident.

As Deputy Tran parked his patrol vehicle, Suspect Miranda turned around, ran back, westbound, toward the crashed vehicle. Deputy Tran exited his patrol vehicle and followed Suspect Miranda. Deputy Tran gave Suspect Miranda verbal commands to stop, however, Suspect Miranda continued westbound along the sidewalk. Deputy Tran heard Suspect Miranda mumbled, "Shoot me," as Suspect Miranda continued to walk back to the crash site. Deputy Tran removed his Taser from the holster because Suspect Miranda ignored verbal commands to stop and displayed uncooperative behavior. Suspect Miranda approached the crashed vehicle, opened the driver's door, and sat down on the driver's seat. Deputy Tran yelled for Suspect Miranda to get out of the car. Suspect Miranda ignored the orders and began to reach down and around the seat of the vehicle. Deputy Tran pointed the Taser at Suspect Miranda and ordered him

out of the vehicle. Suspect Miranda produced a black handgun in his right hand and pointed it at Deputy Tran.

Deputy Tran, fearing Suspect Miranda was about to shoot him in the head, fired his Taser at Suspect Miranda. Refer to Taser data report, **[EXHIBIT D]**. The Taser had little effect as only one of the two prongs struck Suspect Miranda in the chest. Suspect Miranda momentarily dropped his right hand but quickly raised his hand back up, again pointing his handgun at Deputy Tran. Deputy Tran dropped the Taser from his right hand and transitioned to unholster his duty weapon. As Deputy Tran unholstered his duty weapon he simultaneously moved toward the front of the crashed vehicle for cover. While he moved to the front of the crashed vehicle, Deputy Tran fired several rounds from his duty weapon toward the center mass of Suspect Miranda. Deputy Tran initiated emergent radio traffic and advised units of a deputy involved shooting.

Suspect Miranda was seated on the driver's seat and ducked down behind the engine block as Deputy Tran fired his weapon. Suspect Miranda exited the vehicle and moved toward the trunk of the vehicle. Suspect Miranda stood at the rear of the vehicle and again pointed his handgun at Deputy Tran, who was standing at the front of the vehicle. Deputy Tran, fearing he was going to be shot and killed, fired another volley of gunshots at Suspect Miranda. Suspect Miranda ducked down and quickly walked southbound on the sidewalk past Deputy Tran, toward the "FedEx" parking lot.

Deputy Tran updated his radio traffic and advised Suspect Miranda had a handgun and was uncooperative. As Suspect Miranda quickly walked away, Deputy Tran followed and maintained a distance of approximately 15 feet behind Suspect Miranda. Suspect Miranda walked southbound along a sidewalk adjacent to the west side of a building, 18248 Gale Avenue. Suspect Miranda was holding his handgun in his hand when he turned and faced Deputy Tran; however, Deputy Tran noticed an occupied white vehicle in the backdrop of Suspect Miranda and chose not to fire his duty weapon for the safety of those persons. Suspect Miranda threw his handgun up in the air and quickly walked away from Deputy Tran southbound into the parking lot. Suspect Miranda's handgun landed on the ground as Deputy Tran followed Suspect Miranda. Deputy Tran transmitted emergent radio traffic and advised Suspect Miranda was uncooperative as he continued to walk southbound through the parking lot.

Deputy Tran kept his duty weapon pointed at Suspect Miranda as he followed him in the parking lot. Deputy Tran continued to give verbal commands to Suspect Miranda to stop. Suspect Miranda turned toward Deputy Tran several times and yelled, "Shoot me!," as he simultaneously put his hands into his pant pockets, quickly removed them, and used his thumb and index fingers to simulate pointing a gun at Deputy Tran.

As Deputy Tran crossed the parking lot and reached the west side of an abandoned building, 18214 Gale Avenue, he activated his body worn camera **[EXHIBIT E, Video #6]**. Suspect Miranda continued walking along the building toward the south end of the parking lot. The south end of the parking lot was adjacent to the Interstate 60 Freeway, separated by a chain link fence. Suspect Miranda took his left hand and reached into

his pant pocket. Deputy Tran holstered his duty weapon and employed Oleoresin Capsicum (OC) spray toward Suspect Miranda. Suspect Miranda quickly turned his head away, and the OC spray hit the back of Suspect Miranda's head. After being sprayed, Suspect Miranda continued walking southbound away from Deputy Tran. Suspect Miranda again turned his head toward Deputy Tran, and Deputy Tran attempted to OC spray Suspect Miranda a second time. Suspect Miranda quickly turned his head away and was again sprayed on the back of the head.

Deputy Tran's vision had become affected from the mist of the employed OC spray. Suspect Miranda ran approximately 20 feet to the south end of the parking lot, reaching a dirt area at the base of the chain link fence, which separated the parking lot from the Interstate 60 Freeway. As Suspect Miranda ran toward the fence, he tripped over a rock. Suspect Miranda stumbled forward and fell at the rear of a four-sided concrete dumpster enclosure. Suspect Miranda was on the ground when he turned to face Deputy Tran. Deputy Tran employed his OC spray a third time, and sprayed Suspect Miranda in the face. Suspect Miranda immediately placed his hands up to his face, and turned face down toward the ground.

Deputy Tran gave Suspect Miranda orders to place his hands behind his back. Suspect Miranda did not comply, and Deputy Tran placed his knee on Suspect Miranda's back to keep him pinned down to the ground. Deputy Tran reached down and grabbed Suspect Miranda's right hand. Suspect Miranda yelled, "You were supposed to kill me!" When Deputy Tran heard a patrol vehicle pass him, he immediately used his radio and said, "Hey, you guys went past me." Deputy Tran grabbed Suspect Miranda's hands and attempted to handcuff him. Suspect Miranda yelled out, "My arm, motherfucker!" and quickly yanked his hands out of Deputy Tran's grasp. Deputy Tran placed his right hand in the middle of Suspect Miranda's back to keep him pinned down into the ground.

Deputy Ortega was the first assisting unit to arrive on scene and positioned himself near the right shoulder of Deputy Tran. Deputy Ortega grabbed Suspect Miranda's right arm and directed Deputy Tran to grab Suspect Miranda's left arm. Both deputies placed Suspect Miranda into handcuffs without further incident.

Suspect Miranda was arrested for Brandishing a Deadly Weapon to Resist Arrest, Reckless Evading of a Police Officer, Resisting Arrest, and Hit and Run with injury.

OSS Detectives Saavedra and Rodriguez arrived on scene and assumed the handle of the criminal investigation. OSS Detectives and deputies from Industry Station assisted with the incident.

Deputy Dean, #[redacted] and Deputy Skadsem, #[redacted], from Walnut Station responded and transported Suspect Miranda to Emanate Health Queen of the Valley Hospital. After being medically cleared for booking, Industry Station Deputies Rodish-Banuelos, [redacted], and Melendez, [redacted], transported Suspect Miranda to the Industry Sheriff's Station.

During the criminal investigation, OSS detectives learned Suspect Miranda had a passenger, [redacted] (Witness [redacted]), in his vehicle at the time of the traffic collision at the intersection of Gale Avenue and Plaza Drive. Witness [redacted] had ran away from the scene of the traffic collision, and had not witnessed the subsequent deputy involved shooting. None of the witnesses located during the investigation stated they had seen Witness [redacted] run away from the scene of the traffic collision.

INVOLVED EMPLOYEE

John Tran, Deputy Sheriff, #[redacted]
East Patrol Division
Industry Station

Work History

Date of Employment:	April 19, 2012
Date Assigned to Patrol/Industry Station:	July 1, 2018
Date Completed Patrol Training:	[redacted]
Prior Shooting incident(s):	None
Prior Category 3 Force(s):	None

Equipment Worn On Person

Deputy Tran wore a Class "A" long sleeve uniform. The uniform consisted of green uniform pants, a tan long sleeve shirt with LASD shoulder patches, an identifying brass nameplate, and a LASD badge on his chest. A body-worn camera was attached to the chest area of his shirt. Deputy Tran wore a nylon Sam Browne gun belt which contained his duty weapon in a holster. Deputy Tran's Sam Browne had a nylon double magazine pouch containing one extra ammunition magazine filled to capacity. The Sam Browne additionally contained an OC spray holster, two handcuff pouches, keys, tourniquet and a portable radio. Deputy Tran wore a Taser holster affixed to his left thigh. In the leg pockets of his uniform pants was a foldable knife, hobble restraint device and a flashlight.

SUSPECT INFORMATION

Brian Miranda
Male, Hispanic, Age 36, booking #6127064, DOB: July 2, 1984, 5'06", 190 pounds, [redacted], CDL [redacted], CII#[redacted], MAIN #[redacted], FBI #[redacted].

[redacted]

INJURIES

Suspect

Suspect Miranda sustained a fractured rib, an abrasion to his left flank, and an abrasion to his left bicep from unknown causes. Suspect Miranda had a soft tissue wound to his chest from a Taser prong. Suspect Miranda's lab results indicated positive for the presence of methamphetamine, marijuana, and alcohol. See medical report for laboratory results **[EXHIBIT G]**.

Treating physician Dr. Tran elected to respond to investigators questions via email and indicated Suspect Miranda's rib fracture was likely due to his motor vehicle collision **[EXHIBIT H]**.

Deputy Personnel

Department personnel were not injured.

PHYSICAL EVIDENCE

On February 16, 2021, Scientific Services Bureau (SSB) Forensic Identification Specialist II (FIS), Jane Mak, #[redacted] and FIS Cathy Johnson, #[redacted] responded to the scene. FIS Mak marked, photographed, sketched, and collected evidence. FIS Johnson assisted in the collection of evidence and scene processing. FIS Mak completed a supplemental report and documented the evidence and scene **[EXHIBIT I]**. FIS Mak also submitted photographs of the scene and evidence collected **[EXHIBIT J]**.

FIS Mak collected the suspect's weapon, a black replica Sig Sauer pellet gun. Refer to photographs **[EXHIBIT J]**.

The suspect's vehicle, a burgundy 2018 Dodge Challenger, California license, "#[redacted]" was "Impounded as Evidence." Refer to CHP-180 same **[EXHIBIT A]**.

The involved deputy and responding deputies' Body Worn Camera videos were collected as evidence **[EXHIBIT E]**.

INVESTIGATOR'S OBSERVATIONS

On February 16, 2021, at approximately 2100 hours, Internal Affairs Bureau Lieutenant Arellano, Sergeant Arballo, and Sergeant Chapman responded to the location. OSS Detective Saavedra briefed and escorted IAB investigators through the scene. The scene appeared consistent with the narration of the incident.

IAB investigators collected and reviewed all associated reports and videos including Deputy Tran's body worn camera video. Based on the reports and videos, IAB

investigators identified witnesses associated with the incident. IAB investigators interviewed Department personnel and witnesses associated the incident.

OSS Detective Imelda Bottomley, #[redacted] contacted the owners of the properties and businesses located around the scene of the incident which had visible exterior surveillance cameras. The surveillance cameras identified either did not capture the incident due to their position and direction, or were not functioning at the time of the incident **[EXHIBIT K]**.

OSS detectives and IAB investigators gathered cell phone video recordings from several witnesses and social media platforms **[EXHIBIT E, Video #1, 2, 3, 4, 5]**. The videos from social media platforms were subsequently removed from the internet and their owners were unknown **[EXHIBIT E, Video #1, 2]**.

FIREARM USED BY DEPUTY TRAN

On February 17, 2021, IAB investigators conducted a round count of Deputy Tran's firearm at Industry Station after the shooting. The firearm contained 16 live rounds, 15 rounds in the magazine and one round in the chamber. A second magazine contained 15 live rounds. Deputy Tran's third magazine, which was in the well of his firearm at the time of the shooting, was left at the incident location where a tactical reload had taken place. Each magazine had a capacity of 15 rounds.

Deputy Tran fired 15 rounds from his Department-approved, personally owned, Sig Sauer P-226 9mm, Serial [redacted] The firearm had a tactical light attached. Prior to the incident, it was loaded to capacity with 15 rounds in the magazine and one round in the chamber. The firearm was examined by Senior Criminalist Tracy Peck, #[redacted], of the Scientific Services Bureau Firearms Identification Section and found to be functional. Refer to SSB Supplemental Report **[EXHIBIT I]**.

Deputy Tran's magazine, which was inside the well of the firearm at the time of the shooting, was submitted empty. The remaining live rounds, consisting of one round from the chamber and two other magazines were loaded to capacity, were also submitted. The live rounds were "Federal" 9mm Luger. Fifteen expended cartridge casings were recovered at the scene. Refer to crime lab report **[EXHIBIT I]**. Deputy Tran's firearm was not submitted for latent prints, blood evidence, or DNA testing.

Date last qualified: [redacted]
Date last trained with firearm:

WEAPON USED BY SUSPECT

Suspect Miranda's weapon was recovered on a walkway along the west wall of 18248 Gale Avenue, approximately 25 feet south from the incident. It was identified by FIS Jane Mak as a pellet gun, a black replica Sig Sauer handgun, serial number [redacted]

Refer to photographs **[EXHIBITJ]**. The pellet gun was not submitted for latent prints, blood evidence, or DNA testing due to being a replica firearm.

PROPERTY DAMAGE

Suspect Miranda's burgundy 2018 Dodge Challenger, had crashed into a traffic signal pole prior to the shooting. The vehicle was facing southeast, and rested against a pole on the southeast corner of Gale Avenue and Plaza Drive. The vehicle had several bullet holes to the windshield and hood (photographs **[EXHIBIT J]**).

CRIMINAL INVESTIGATORS AND CHARGES FILED

The criminal investigation into the shooting was handled by OSS Detectives Saavedra and Rodriguez. Suspect Miranda was charged with Assault with a Deadly Weapon (other than firearm), 245(A) (1) P.C. Drawing a Firearm Against a Peace Officer to Prevent Arrest, 417.8 P.C., Resisting Arrest, 69 P.C., Hit and Run (Felony), 20001(B) (1) V.C.

Suspect Miranda was convicted of Brandishing a Deadly Weapon to Resist Arrest, Battery on a Peace Officer, Vandalism, and sentenced to sixteen months State prison. Refer to West Covina Courthouse Minute Order, Superior Court of California, County of Los Angeles, case #KA126764 **[EXHIBIT F]**.

LIGHTING AND WEATHER CONDITIONS

The incident occurred during nighttime hours. The scene was illuminated by overhead light fixtures at the location. The weather was clear and cool.

RADIO TRAFFIC

IAB investigators reviewed all radio traffic associated with the incident **[EXHIBIT B]**. Industry Station broadcasted over the Dispatch 8 and L-Tac 4 radio frequencies. The following is a summary of the radio traffic. Deputy Tran used the L-Tac radio frequency to request back-up. Deputy Tran used the radio duplex patch to advise he was involved in a shooting. The times used to mark significant broadcasts are the elapsed times on the recordings, not the actual time the transmission occurred.

L-TAC 4 RADIO

0:14 Deputy Tran asked if any units were near Gale Avenue and Stoner Creek.

0:44 Deputy Tran stated he had a Mustang take off from him and the vehicle was headed toward Gale and Fullerton.

2:14 Industry Station Desk (140D) personnel advised units to initiate a Code-3 response.

DISPATCH CHANNEL

6:08 Deputy Tran asked for two units back-up at Gale and Plaza Drive.

6:19 Deputy Tran stated he had an uncooperative person who had collided into a pole.

6:35 Deputy Tran stated he had a 998 (deputy involved shooting).

6:51 Deputy Tran advised the suspect was 417 (armed with a gun).

6:56 Deputy Tran advised the suspect was running southbound through the shopping center at Gale and Plaza Drive.

7:20 Deputy Tran advised he was detaining at gunpoint, suspect was still uncooperative and walking southbound

8:05 Deputy Tran stated he was at 18204 Gale.

8:17 Deputy Ortega stated he had arrived on-scene.

8:32 Deputy Tran advised that the unit on-scene had passed him.

8:56 Deputy Ortega located Deputy Tran and advised on the radio he was behind the dumpsters to the east of Jersey Mike's.

9:31 Deputy Tran advised he was detaining one.

INVESTIGATION

IAB investigators obtained witness cell phone video recordings and LASD personnel body worn camera (BWC) videos associated with the incident. Based on the information, IAB investigators identified witnesses to the events surrounding the incident and conducted interviews.

IAB investigators reviewed five (5) witness cell phone video recordings and thirty-two (32) BWC videos. The following are numbered videos with a brief description located on a corresponding flash drive **[Exhibit E]**. The flash drive additionally contains 56 photographs (10 photographs of Suspect Miranda, 46 photographs from the traffic collision reports).

Flash Drive, Exhibit E:

Bold entries below denote significant recorded activity.

Video #	Description
1	**Witness cell phone recording - Anonymous recording of 998**
2	**Witness cell phone recording - Anonymous recording of 998**
3	**Witness [redacted] cell phone of 998**
4	**Witness [redacted] cell phone of 998**
5	**Witness [redacted] cell phone recording of Foot Pursuit**
6	**BWC Tran - Foot Pursuit, Use of Force, Arrest of Suspect**
7	**BWC Ortega – Arrest of Suspect**
8	BWC Del Rio (BWC recording of Witness [redacted] cell phone, Video #4)
9	BWC Bottomley
10	BWC Bottomley
11	BWC Jover
12	BWC Jover
13	BWC Ibarra
14	BWC Melendez
15	BWC Rodish
16	BWC Jover
17	BWC Capilla
18	BWC Capilla
19	BWC Capilla
20	BWC Nanquil
21	BWC Banuelos
22	BWC Capilla
23	BWC Jover
24	BWC Del Rio
25	BWC De Olveira
26	BWC Jover
27	BWC Capilla
28	BWC Nanquil
29	BWC Durante
30	BWC Castellanos
31	BWC Walker
32	BWC Banuelos
33	BWC Davanzo
34	BWC Ibarra
35	BWC Jover
36	BWC Lang
37	BWC Lang

Industry Station provided IAB investigators with a Vehicle Pursuit and a Foot Pursuit Evaluation form **[EXHIBIT L]**. IAB investigators requested forensic data from the mobile digital computer (MDC) on the patrol vehicle driven by Deputy Tran at the time of the incident. A Geospatial Tracker Report (GST) was generated by the LASD Communications & Fleet Management Bureau **[EXHIBIT M]**. The GST Tracker Report provided detailed information such as the global positioning system (GPS) recording of

the path of Deputy Tran, the speed of the patrol vehicle, and that the emergency lights were activated without the use of siren while westbound on Gale Avenue. At the time preceding the deputy involved shooting, Deputy Tran traveled eastbound on Gale Avenue from Azusa Avenue for approximately one minute and forty-five seconds, at a distance of one and a half miles, with an average speed of 51 miles per hour.

STATEMENTS

The following are summaries of the recorded interviews of the involved employees and witnesses. For additional information, refer to the DVD containing the verbatim transcripts and/or audio files.

INVOLVED EMPLOYEE STATEMENTS

Deputy John Tran

On February 19, 2021, Industry Station OSS Detectives Saavedra and Rodriguez interviewed Deputy Tran at Industry Station.

On March 16, 2021, IAB investigators interviewed Deputy Tran at the IAB office in the city of Commerce. Deputy Tran was represented by his attorney, Amy Johnson. During his interview with IAB investigators, Deputy Tran provided his signature on two printouts which depict his route of travel as he attempted to follow Suspect Miranda **[EXHIBIT N]**.

On February 16, 2021, at approximately 1924 hours, Deputy Tran was assigned to Unit 141T5, a one person traffic enforcement radio car. Deputy Tran was stopped at a red light on Azusa Avenue, facing northbound in the number two left turn lane. Directly across the intersection, Deputy Tran noticed a dark colored vehicle (suspect's vehicle) with its headlights off during the dark evening hours. Deputy Tran believed the vehicle was a dark colored Ford Mustang with existing front-end body damage. The suspect's vehicle was facing southbound on Azusa Avenue in the number one lane. Adjacent to the suspect's vehicle were two left-turn lanes which turned eastbound onto Gale Avenue.

As vehicles in the left-turn lane, adjacent to the suspect's vehicle, turned to proceed eastbound onto Gale Avenue. Suspect Miranda cut the vehicles off and accelerated through the intersection at a high rate of speed. After he witnessed the traffic violations, Deputy Tran activated his emergency lights without using the siren, to warn other drivers of his presence as he entered the intersection. Deputy Tran cleared the intersection to avoid being struck by oncoming traffic and then proceeded eastbound on Gale Avenue. Deputy Tran kept his emergency lights on to warn other drivers of his intent to pass them as he travelled eastbound on Gale Avenue.

Deputy Tran described Azusa Avenue, as having a sharp southeast curve with an uphill to downhill slope on the road. Due to the curve and the slope of the road, Deputy Tran lost sight of Suspect Miranda's vehicle immediately after he had cleared the

intersection. Deputy Tran continued driving eastbound on Gale Avenue, but not see the suspect's vehicle. Deputy Tran initiated radio traffic over the L-Tac radio frequency asking if any units were near Gale Avenue and Stoner Creek Road, and advised them that a Mustang had driven away him.

Based on Suspect Miranda's vehicle speed and the last seen direction of travel, Deputy Tran believed Suspect Miranda would not have been able to make the southbound turn at Stoner Creek Road, therefore, Deputy Tran continued eastbound on Gale Avenue. Deputy Tran left his emergency lights on to warn the other drivers on the road of his presence and continued eastbound on Gale Avenue. Based on his past experience patrolling that section of Gale Avenue, Deputy Tran knew traffic near the upcoming intersection of Gale Avenue and Fullerton Road would become congested due to a construction zone on the roadway. Deputy Tran continued eastbound, nearing the construction zone, when he noticed a vehicle had crashed into a traffic signal pole at the southeast corner of Gale Avenue and Plaza Drive. The vehicle appeared to have recently crashed because smoke was emitting from the front of the vehicle. Deputy Tran described the vehicle as a burgundy Dodge Challenger.

Deputy Tran saw a dark figure (Suspect Miranda) running eastbound along the south sidewalk away from the traffic collision. Deputy Tran drove closer to Suspect Miranda and saw Suspect Miranda turn southbound into a parking lot of a shopping center. The shopping center consisted of several buildings which were occupied by various businesses; some of the businesses were unoccupied or closed for the evening.

Deputy Tran drove southbound into the parking lot and passed Suspect Miranda in effort to cut him off and to stopped his patrol vehicle along the east side of the building, 18250 Gale Avenue. Deputy Tran's intention was to detain Suspect Miranda for fleeing the scene of a traffic collision and to render aid.

When Deputy Tran parked and exited his patrol vehicle, Suspect Miranda turned around and quickly walked westbound toward the crashed vehicle. Deputy Tran followed Suspect Miranda on foot back to the crashed vehicle. Deputy Tran gave Suspect Miranda multiple verbal commands to stop and put his hands behind his back. Suspect Miranda continued walking westbound along the sidewalk, approximately 100 feet from the crashed vehicle, when he stated, "shoot me." Suspect Miranda was uncooperative and ignored Deputy Tran's verbal commands to stop, so Deputy Tran removed his Taser from the holster and pointed the Taser at Suspect Miranda. Deputy Tran used his handheld radio to request back-up. Deputy Tran stated Suspect Miranda was mumbling incoherently and he was unable to understand what Suspect Miranda was saying. Deputy Tran noticed Suspect Miranda was sweating and wearing a short-sleeved shirt. Deputy Tran recognized the behavior of Suspect Miranda and believed he was possibly be under the influence of methamphetamine.

Suspect Miranda approached the crashed vehicle, opened the driver's door, and sat on the driver's seat. Deputy Tran yelled for Suspect Miranda to get out of the vehicle. Suspect Miranda ignored the orders and began to reach down around the seat of his

vehicle. Deputy Tran pointed the Taser at Suspect Miranda as he was ordering Suspect Miranda out of the vehicle. Suspect Miranda produced a black handgun in his right hand and pointed it at Deputy Tran.

Deputy Tran saw the barrel of the handgun pointed at him and feared Suspect Miranda was about to shoot him in the head. Deputy Tran held the Taser in his right hand and realized he did not have time to transition to his duty weapon. Deputy Tran fired his Taser at Suspect Miranda. The Taser had little effect as only one of the two prongs struck Suspect Miranda in the chest. Suspect Miranda momentarily lowered his right hand but quickly raised his hand back up, again pointing the handgun at Deputy Tran. Deputy Tran dropped the Taser from his hand and removed his duty weapon from its holster. Deputy Tran simultaneously moved toward the front of the vehicle for cover and fired three to four rounds at Suspect Miranda. Deputy Tran was at a distance of approximately eight feet from Suspect Miranda as he fired his duty weapon. Deputy Tran did not see pedestrians or vehicles behind Suspect Miranda at the time he fired. Deputy Tran purposefully attempted to keep his aim low so that any missed rounds would hit the ground. As Deputy Tran moved toward the front of the vehicle, Deputy Tran believed Suspect Miranda was simultaneously shooting at him. Deputy Tran feared he was going to be shot and fired several additional rounds toward the center mass of Suspect Miranda. The distance between them had not increased and Deputy Tran's backdrop had not changed.

While seated on the driver's seat, Suspect Miranda pointed his handgun at Deputy Tran and ducked down behind the engine block as Deputy Tran shot at him. Deputy Tran stated that due to Suspect Miranda ducking down behind the engine block of the vehicle, he fired into the hood of the vehicle toward Suspect Miranda. Deputy Tran knew his rounds would not go beyond the engine block. Suspect Miranda exited and moved toward the rear of the vehicle, near the trunk. Suspect Miranda stood at the rear of the crashed vehicle and pointed his handgun at Deputy Tran, who was standing at the front of the crashed vehicle. Fearing he was going to be shot, Deputy Tran stated he was going to fire another volley of shots at Suspect Miranda but he saw a white vehicle passing behind Suspect Miranda. Deputy Tran chose not to shoot at Suspect Miranda since there was an occupied vehicle in his backdrop. Suspect Miranda ducked and ran southbound past Deputy Tran. Deputy Tran initiated emergent radio traffic by requesting the patch and advised units of a deputy involved shooting. Suspect Miranda slowed down to walk southbound on a walkway along the west wall of a business.

Deputy Tran used his handheld radio and advised Suspect Miranda had a handgun and was uncooperative. As Suspect Miranda walked southbound along the business walkway, Deputy Tran followed, by keeping a distance of approximately ten to fifteen feet. Suspect Miranda held the handgun in his hand and turned toward Deputy Tran; however, Deputy Tran noticed an occupied white colored vehicle in the backdrop of Suspect Miranda and chose not to fire his duty weapon. As Suspect Miranda had the handgun in his hand, he raised the handgun up and threw it over his head. The handgun landed on the ground on the west walkway of 18248 Gale Avenue. Suspect Miranda continued to quickly walk away from Deputy Tran southbound further into the

parking lot. Deputy Tran updated his emergent radio traffic and advised the suspect was still uncooperative and was walking southbound through the parking lot.

Deputy Tran noticed people in the shopping center parking lot and continued to follow Suspect Miranda. Deputy Tran chose to follow Suspect Miranda through the parking lot to prevent Suspect Miranda from grabbing a person to gain a hostage or to create a "suicide by cop" situation.

Deputy Tran kept his duty weapon pointed at Suspect Miranda as he followed him southwest through the parking lot. Deputy Tran continued to give verbal commands to Suspect Miranda by yelling at him to stop. Suspect Miranda turned toward Deputy Tran and yelled, "Shoot me!" approximately three or four times. Suspect Miranda simultaneously put his hands into his pant pockets, then quickly removed them and simulated pointing a gun at Deputy Tran by using his thumb and index fingers.

As they reached the west side of a building, Suspect Miranda continued south along the walkway. The south end of the parking lot was adjacent to the Interstate 60 Freeway, only separated by a chain link fence. Deputy Tran heard a dispatcher on his handheld radio ask for an update on his location. Deputy Tran looked up and read off the numbers of a building into his microphone. Deputy Tran noticed Suspect Miranda was moving further south through the parking lot and closer to the freeway. Deputy Tran feared Suspect Miranda could possibly jump the fence and get onto the freeway, creating a dangerous situation for motorists.

Suspect Miranda once again reached into his pants pocket with his left hand as he continued to ignore Deputy Tran's orders to stop. Deputy Tran employed his Oleoresin Capsicum (OC) spray toward Suspect Miranda. Suspect Miranda quickly turned his head away causing Deputy Tran to OC spray the back of Suspect Miranda's head. After being sprayed, Suspect Miranda walked southbound a few more feet away from Deputy Tran. When Deputy Tran looked down and realized his body worn camera had not been activated, Deputy Tran turned his camera on. As Suspect Miranda turned his head toward Deputy Tran, Deputy Tran attempted to OC spray Suspect Miranda a second time. Suspect Miranda quickly turned his head away and was again sprayed on the back of the head.

Deputy Tran's vision became affected from the mist of the OC spray. Suspect Miranda ran southbound to the end of the parking lot, reaching a dirt area at the base of the chain link fence which separated the parking lot from the Interstate 60 Freeway. As Suspect Miranda ran toward the fence, he tripped over a rock, stumbled forward, and fell at the rear of a four-sided concrete dumpster enclosure. Suspect Miranda turned to face Deputy Tran. Deputy Tran employed his OC spray a third time and sprayed Suspect Miranda in the face. Suspect Miranda immediately placed his hands up to his face and turned face down toward the ground.

Deputy Tran gave Suspect Miranda orders to place his hands behind his back; however, Suspect Miranda did not comply. Deputy Tran placed his knee on the middle

of Suspect Miranda's back to prevent him from getting up. Deputy Tran reached down and grabbed Suspect Miranda's right hand. Suspect Miranda yelled, "You were supposed to kill me!" When Deputy Tran heard a patrol vehicle pass him, he used his handheld radio to say, "Hey, you guys went past me." Deputy Tran grabbed Suspect Miranda's left arm and attempted to handcuff him. Suspect Miranda yelled out, "My arm, motherfucker!" and quickly yanked his hands away from Deputy Tran's grasp. Deputy Tran placed his right hand on the middle of Suspect Miranda's back to keep him pinned face down to the ground.

Deputy Ortega was the first assisting unit to arrive on scene, but he could not locate Deputy Tran, until Deputy Tran broadcasted over the radio he was behind a concrete dumpster enclosure by Jersey Mike's sandwich shop.

Upon arrival, Deputy Ortega positioned himself to the right of Deputy Tran. Deputy Ortega grabbed Suspect Miranda's right arm and directed Deputy Tran to grab Suspect Miranda's left arm. Both deputies placed Suspect Miranda into handcuffs without further incident.

WITNESS STATEMENTS

Deputy Gary Ortega

On April 14, 2021, IAB investigators interviewed Deputy Ortega at the IAB office in the city of Commerce. Deputy Ortega was represented by his attorney, Amy Johnson.

On the date of the incident, Deputy Ortega was assigned as Unit 141E. While on routine patrol, Deputy Ortega heard Deputy Tran ask over the L-Tac radio frequency if anyone was near the intersection of Stoner Creek Road and Gale Avenue. Deputy Ortega was approximately one mile away from that intersection and replied by asking "What do you have?" Deputy Tran responded, however, the radio communication was received "choppy" on Deputy Ortega's end and he heard something to the effect of a vehicle left or was speeding away from Deputy Tran.

Deputy Ortega began to drive toward in the general direction of Stoner Creek Road and Gale Avenue. While responding, he heard several updates over the radio. He heard Deputy Tran advise there was a traffic collision and an uncooperative person. He also heard Deputy Tran broadcast of a deputy involved shooting. Deputy Ortega immediately activated his body worn camera and responded Code-3 by activating the lights and siren on his patrol vehicle.

Deputy Ortega heard Deputy Tran broadcast he was near the "Jersey Mike's." Deputy Ortega recognized that to be at Gale Avenue and Plaza Drive. Deputy Ortega responded eastbound on Gale Avenue and turned into the shopping center parking lot at Plaza Drive. Deputy Ortega knew the Jersey Mike's was near the southwest area of the parking lot. When he entered the parking lot, he saw Deputy Tran's patrol vehicle near the east end of the parking lot. Deputy Ortega drove toward the patrol vehicle and

visually scanned the area looking for Deputy Tran. Deputy Ortega was monitoring both radio frequencies. The Sheriff's Communication Center (SCC) main channel was on Deputy Ortega's handheld radio and the Industry Station tactical channel (L-Tac) was on the patrol vehicle's radio. During the incident, both radio frequencies were being used simultaneously. As Deputy Ortega drove through the parking lot, he heard someone on the radio say, "You passed him."

Deputy Ortega conducted a U-turn and headed southwest through the parking lot where he saw Deputy Tran and Suspect Miranda in a dirt area behind a trash dumpster enclosure. Deputy Ortega updated Deputy Tran's location, via his radio, for other responding units. Deputy Ortega drove toward them and saw Deputy Tran on top of Suspect Miranda while holding onto Suspect Miranda's arms. It did not appear Deputy Tran was struggling to maintain control of Suspect Miranda. Deputy Ortega assisted Deputy Tran by handcuffing Suspect Miranda without incident. Suspect Miranda did not say he was injured; however, Deputy Ortega could smell that OC spray had been employed.

Sergeant Nicolas Castellanos

On October 21, 2021, an IAB investigator interviewed Sergeant Castellanos inside the LASD Sergeant's office located at LAC + USC Medical Center, 2051 Marengo Street.

On the evening of the incident, Sergeant Castellanos was assigned as an Industry Station field sergeant, Unit 142S. Sergeant Castellanos had been patrolling at the west end of the city of Industry when he heard Deputy Tran initiate radio traffic. Deputy Tran's radio broadcast had progressed quickly from a back-up request to an assistance request. Sergeant Castellanos heard multiple deputies acknowledge Deputy Tran. Sergeant Castellanos chose not to reply on the radio to avoid interfering with the ongoing radio traffic; however, he immediately began to drive toward the location. Upon hearing a deputy involved shooting broadcasted on the radio, he responded "Code 3" by driving with his emergency lights and siren activated.

Sergeant Castellanos broadcasted on the radio he was responding "Code 3" and estimated his arrival within four to five minutes. Upon his arrival, he found Deputy Tran and the Suspect Miranda at the rear of a parking lot, adjacent to an enclosed dumpster. Sergeant Castellanos spoke to Deputy Tran to inquire about his safety and wellbeing, as well as the safety and wellbeing of Suspect Miranda. Sergeant Castellanos had Deputy Tran provide him with a safety statement, which indicated the direction he had fired his duty weapon, and to determine if there were outstanding suspects or victims. Sergeant Castellanos ensured the integrity of the crime scene. Sergeant Castellanos transported Deputy Tran to the Industry Sheriff's station.

Sergeant Vincent Durante

On October 21, 2021, an IAB investigator interviewed Sergeant Durante inside interview room "B" at the Industry Sheriff's station. The following is a summary of the interview.

On the evening of the incident, Sergeant Durante was working as an Industry Station field sergeant, Unit 140S. Sergeant Durante was near the intersection of Azusa Avenue and Temple Avenue when he heard Deputy Tran request back-up. Approximately 30-45 seconds later, he heard Deputy Tran request assistance over the radio. Sergeant Durante did not interfere with the radio traffic because he heard his supervisory partner, Sergeant Castellanos, acknowledge the request. Sergeant Durante responded "Code 3" by activating his patrol vehicle's emergency lights and siren.

Sergeant Durante arrived on scene approximately 90 seconds after the assistance request by Deputy Tran. Sergeant Durante saw several patrol deputies already on scene, and parked behind their vehicles on Gale Avenue near Plaza Drive. Sergeant Durante ensured a crime scene containment had been established and he ensured the safety and wellbeing of all involved parties had been addressed.

At the conclusion of his interview, Sergeant Durante informed the IAB investigator of two incidents involving Suspect Miranda which immediately followed his arrest, and while still in custody at Industry Sheriff's Station. Sergeant Durante was unable to recall the date of the first incident or if the incident had been documented. The first incident occurred while Suspect Miranda was in the booking process immediately after being arrested. Suspect Miranda attempted to commit suicide while inside the station jail cell. Suspect Miranda used a ripped bed sheet, tied it around his neck and attempted to hang himself.

The second incident occurred on April 18, 2021, while Suspect Miranda was being transported by two deputies to the Inmate Reception Center. While being transported, Suspect Miranda was able to remove his seatbelt, shattered the rear window and escape custody through the patrol vehicle's broken window. After a brief foot pursuit, a use of force occurred while trying to take Suspect Miranda into custody. During the use of force to recapture Suspect Miranda, he attempted to remove a firearm from the holster of one of the deputies. Suspect Miranda was subdued and taken back into custody. Refer to Incident Report under file number 021-01784-1410-055, **Miscellaneous Documents**.

Witness [redacted]

On February 16, 2021, Industry Station Deputy Lang, #[redacted], interviewed Witness [redacted] regarding her traffic collision with Suspect Miranda. Refer to Traffic Collision Report **[EXHIBIT C]**, and **[EXHIBIT E, Video #37]** described below.

On August 26, 2021, IAB investigators telephonically interviewed Witness [redacted] Witness [redacted] spoke Vietnamese and [redacted], [redacted], served as her interpreter. Witness [redacted] was unable to recall specific details of the incident and the following is a summary of her interview.

Witness [redacted] was traveling eastbound on Gale Avenue in her red Toyota Camry when she was rear ended by a dark colored vehicle (Suspect Miranda's vehicle). The vehicle

that collided with her spun and crashed into a pole. Witness [redacted] saw one man (possibly Witness [redacted] wearing a dark jacket get out from the passenger side of the crashed vehicle, and quickly walked southbound through the shopping center parking lot.

Witness [redacted] saw the police arrive a few minutes after the suspect's vehicle crashed into the pole. Witness [redacted] was parked near Suspect Miranda's vehicle when she got out of her car to look for a license plate. Witness [redacted] heard what she assumed to be police yelling. She heard gunshots and without looking to see who was shooting, she immediately went back into her car. Witness [redacted] did not witness anything further. Witness [redacted] car was mandatorily left at the scene.

Witness [redacted]

On the evening of the incident, Witness [redacted] was interviewed on scene by Industry Station Deputy Lang, [redacted], regarding his traffic collision as a result of this incident. Refer to Traffic Collision Report 921-01719-1418-472 **[EXHIBIT C]**, and body worn camera **[EXHIBIT E, Video #36]**. Witness [redacted] was interviewed in the field by Industry Station Deputy Smith, #[redacted] Refer to Supplemental Report **[EXHIBIT A]**.

On August 27, 2021, IAB investigators interviewed Witness [redacted] at the IAB office located in the city of Commerce. The following is a summary of his interview.

On the evening of the incident, Witness [redacted] was traveling westbound on Gale Avenue with [redacted] in his vehicle. One of [redacted] was [redacted], the other was [redacted] Witness [redacted] Witness [redacted] declined to have [redacted] interviewed by IAB investigators.

Witness [redacted] was westbound on Gale Avenue and stopped at a red light approximately three to four cars behind the intersection. After the traffic signal turned green, Witness [redacted] realized the cars ahead of him were not moving forward. Witness [redacted] noticed a police vehicle (Deputy Tran's vehicle) with its emergency flashers on was parked in the shopping center parking lot across the street, to his south. Witness [redacted] noticed a red Dodge Challenger or Charger (Suspect Miranda's vehicle) had crashed into a pole. He saw a second red car (Witness [redacted] vehicle) near the accident.

Witness [redacted] saw a male wearing a Los Angeles County Sheriff's deputy uniform (Deputy Tran) standing near the front of the crashed vehicle pointing his handgun at a male (Suspect Miranda) who was standing at the rear of the crashed vehicle. Suspect Miranda was standing with both arms extended out in front of him while pointing a black handgun at Deputy Tran. Witness [redacted] yelled for both the [redacted] in his vehicle to get down when he saw an exchange of gunfire between Suspect Miranda and Deputy Tran. Witness [redacted] saw Suspect Miranda and Deputy moved counterclockwise around the crashed vehicle as they exchanged gunfire.

Witness [redacted] described the body movement of the deputy and suspect as ducking and dodging during an exchange of gunfire. Witness [redacted] had his car radio on, and the windows fully raised up. He could not recall the number of shots he heard.

In an attempt to get away from the danger and to keep the [redacted] in his vehicle safe, he shifted his vehicle in reverse and accidentally collided into a vehicle behind him. Witness [redacted] continued to watch the exchange of gunfire. He saw Suspect Miranda run southbound into the shopping center parking lot. Witness [redacted] saw Deputy Tran follow Suspect Miranda around the corner and out of view.

Witness [redacted]

On February 16, 2021, Industry Station Deputy Smith, #[redacted] conducted an on-scene field interview with Witness [redacted] Refer to Supplemental Report **[EXHIBIT A]**.

On August 26, 2021, an IAB investigator conducted a telephonic interview with Witness [redacted] Witness [redacted] was a [redacted] and the interview was conducted while her [redacted], was on the telephone line. The following is a summary of her interview.

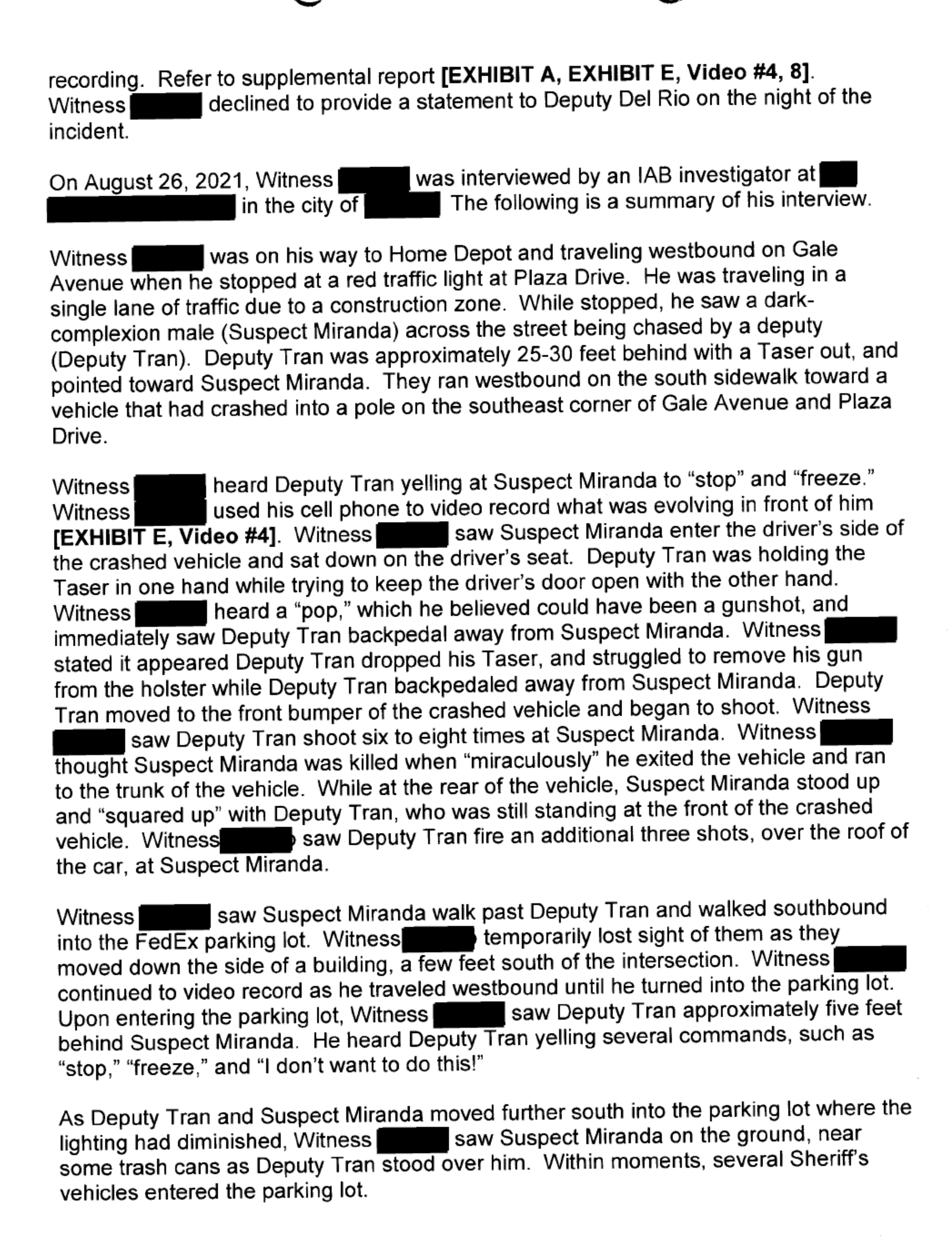
On the night of the incident, she was on her way home from softball practice. She was driven home by Witness [redacted] Witness [redacted] was on the passenger backseat when they were stopped at a red light on Gale Avenue. Witness [redacted] could not recall if she saw one or two police cars in the roadway with their emergency lights on. She saw a vehicle had crashed into a pole. By the crashed vehicle, she saw a police officer (Deputy Tran), and a man (Suspect Miranda), wearing a black or gray shirt. Witness [redacted] could not recall the exact position of either Deputy Tran or Suspect Miranda; however, she saw Suspect Miranda shooting at Deputy Tran. Suspect Miranda had both arms extended forward, holding a handgun, as he was shooting at Deputy Tran. Deputy Tran was standing in a similar position, with both arms extended forward holding a handgun as they were shooting at each other. She heard approximately five shots.

Witness [redacted] told Witness [redacted] to get down, so she placed her head down and did not watch the incident. Witness [redacted] reversed his vehicle and collided into the vehicle behind them. After the shooting, Witness [redacted] looked out the car window and saw officers placing Suspect Miranda into handcuffs.

IAB NOTE: Based on the location of Suspect Miranda's arrest, along with the body worn camera footage of interviews, Suspect Miranda was not near the area of Witness [redacted]

Witness [redacted]

On the evening of the incident, Witness [redacted] video recorded a portion of the incident with his personal cell phone, and provided Deputy Del Rio, #[redacted] a copy of the



recording. Refer to supplemental report **[EXHIBIT A, EXHIBIT E, Video #4, 8]**. Witness [redacted] declined to provide a statement to Deputy Del Rio on the night of the incident.

On August 26, 2021, Witness [redacted] was interviewed by an IAB investigator at [redacted] in the city of [redacted] The following is a summary of his interview.

Witness [redacted] was on his way to Home Depot and traveling westbound on Gale Avenue when he stopped at a red traffic light at Plaza Drive. He was traveling in a single lane of traffic due to a construction zone. While stopped, he saw a dark-complexion male (Suspect Miranda) across the street being chased by a deputy (Deputy Tran). Deputy Tran was approximately 25-30 feet behind with a Taser out, and pointed toward Suspect Miranda. They ran westbound on the south sidewalk toward a vehicle that had crashed into a pole on the southeast corner of Gale Avenue and Plaza Drive.

Witness [redacted] heard Deputy Tran yelling at Suspect Miranda to "stop" and "freeze." Witness [redacted] used his cell phone to video record what was evolving in front of him **[EXHIBIT E, Video #4]**. Witness [redacted] saw Suspect Miranda enter the driver's side of the crashed vehicle and sat down on the driver's seat. Deputy Tran was holding the Taser in one hand while trying to keep the driver's door open with the other hand. Witness [redacted] heard a "pop," which he believed could have been a gunshot, and immediately saw Deputy Tran backpedal away from Suspect Miranda. Witness [redacted] stated it appeared Deputy Tran dropped his Taser, and struggled to remove his gun from the holster while Deputy Tran backpedaled away from Suspect Miranda. Deputy Tran moved to the front bumper of the crashed vehicle and began to shoot. Witness [redacted] saw Deputy Tran shoot six to eight times at Suspect Miranda. Witness [redacted] thought Suspect Miranda was killed when "miraculously" he exited the vehicle and ran to the trunk of the vehicle. While at the rear of the vehicle, Suspect Miranda stood up and "squared up" with Deputy Tran, who was still standing at the front of the crashed vehicle. Witness [redacted] saw Deputy Tran fire an additional three shots, over the roof of the car, at Suspect Miranda.

Witness [redacted] saw Suspect Miranda walk past Deputy Tran and walked southbound into the FedEx parking lot. Witness [redacted] temporarily lost sight of them as they moved down the side of a building, a few feet south of the intersection. Witness [redacted] continued to video record as he traveled westbound until he turned into the parking lot. Upon entering the parking lot, Witness [redacted] saw Deputy Tran approximately five feet behind Suspect Miranda. He heard Deputy Tran yelling several commands, such as "stop," "freeze," and "I don't want to do this!"

As Deputy Tran and Suspect Miranda moved further south into the parking lot where the lighting had diminished, Witness [redacted] saw Suspect Miranda on the ground, near some trash cans as Deputy Tran stood over him. Within moments, several Sheriff's vehicles entered the parking lot.

Witness [redacted]

On the evening of the incident, Witness [redacted] provided Deputy Jover, #[redacted] with a telephone interview, see supplemental report **[EXHIBIT A]**.

On August 27, 2021, an IAB investigator conducted a telephonic interview with Witness [redacted] The following is a summary of the interview.

Witness [redacted] was leaving the FedEx shopping center parking lot when he was stopped at a red traffic light on Plaza Drive. He was facing north and about to turn onto Gale Avenue when he noticed a vehicle reverse toward his vehicle. He also noticed a vehicle had collided into a pole. Witness [redacted] saw a deputy (Deputy Tran) at the driver's side door of the crashed vehicle. He heard Deputy Tran yelling at Suspect Miranda to get out of the car. It appeared Deputy Tran noticed something from inside the crashed vehicle, because Deputy Tran backed away from the driver's door and ran toward the front of the crashed vehicle. Deputy Tran had drawn his firearm, and shot into the driver's side of the crashed vehicle.

Witness [redacted] saw a male Hispanic (Suspect Miranda) wearing dark baggy clothes, black and white Nike shoes, exit the driver's side of the vehicle, and move toward the rear of the crashed vehicle. Suspect Miranda was at the rear of the vehicle and Deputy Tran was at the front of the vehicle. Suspect Miranda and Deputy Tran were pointing black handguns at each other. The two began to exchange gunfire over the roof of the vehicle. He heard approximately ten gunshots between Suspect Miranda and Deputy Tran. Witness [redacted] immediately reversed his truck and exited the parking lot.

At the conclusion of the IAB interview, Witness [redacted] provided information which he recalled witnessing just prior to the shooting. Witness [redacted] did not mention the following information to deputies at the scene on the night of the incident. As he waited at the red light at Gale Avenue and Plaza Drive, he saw a male Hispanic run past his vehicle, southbound along the sidewalk. He described the person as approximately 25 years old, 5'8" tall, thin build, slicked back black hair and light brown skin with a thin mustache. The male was wearing all black baggy clothing and dressed similarly to Suspect Miranda. Witness [redacted] believed this person could possibly be a friend of Suspect Miranda. The male appeared scared as he ran southbound through the parking lot behind a building and toward the Interstate 60 Freeway.

IAB NOTE: Based on interviews with Witness [redacted], it is likely Witness [redacted] unknowingly saw Witness [redacted] run south through the parking lot, toward the Interstate 60 Freeway, moments prior to the deputy involved shooting.

Witness [redacted]

On the evening of the incident, Witness [redacted] provided a statement to Deputy Nanquil, #[redacted], see supplemental report **[EXHIBIT A]**.

On September 4, 2021, an IAB investigator conducted a telephonic interview with Witness [redacted] The following is a summary of his interview.

On the evening of the incident, Witness [redacted] was in the southeast corner of the FedEx parking lot when he heard two to three gunshots. Witness [redacted] believed the gunshots came from the northwest entrance of the parking lot near the intersection of Gale Avenue and Plaza Drive. His view of the entrance was blocked by a building. Witness [redacted] noticed there was a sheriff's vehicle (Deputy Tran's patrol vehicle) parked with its emergency lights on in front of 18250 Gale Avenue, XoX restaurant.

Within seconds, Witness [redacted] saw two people emerge from the west side of the building, walking quickly southbound through the parking lot. Witness [redacted] stated the two people were only in his view for approximately ten seconds. Witness [redacted] recognized one of the persons to be a sheriff's deputy (Deputy Tran), who was following a male Hispanic (Suspect Miranda) wearing all black clothing. Witness [redacted] was approximately 50 feet away and could hear Deputy Tran yelling at Suspect Miranda to stop running and to get down. Witness [redacted] was unable to see or hear what happened because Deputy Tran and Suspect Miranda moved behind the FedEx building and out of view.

Witness [redacted]

On the evening of the incident, Witness [redacted] was interviewed by Deputy Banuelos, #[redacted] see supplemental report **[EXHIBIT A, EXHIBIT E, Video #21]**.

On August 27, 2021, an IAB investigator conducted a telephonic interview with Witness [redacted] The following is a summary of his interview.

Witness [redacted] stated he had forgotten to wear his eyeglasses; therefore, his vision was blurred during the incident. Witness [redacted] was with [redacted], [redacted] (Witness [redacted] inside the Sunright Tea Studio, 18205 Gale Avenue, when he heard a vehicle crash. Approximately 20 seconds after hearing the crash, Witness [redacted] saw a police vehicle with flashing emergency lights on, and heard a siren. Witness [redacted] could not recall where the police vehicle parked. Upon walking outside the tea studio, Witness [redacted] looked directly across the street, to the south, and saw a vehicle crashed into a pole at the southeast corner of Gale Avenue and Plaza Drive.

Because Witness [redacted] had forgotten to wear his eyeglasses that evening, he began to record the incident on his cell phone with the intention of watching the phone's screen. Witness [redacted] used the screen of his phone to watch what was happening across the street. Witness [redacted] saw what he believed to be a police officer (Deputy Tran) standing

at the driver's side door of the crashed vehicle. Deputy Tran appeared to struggle while attempting to open the driver's side door. Witness [redacted] assumed Deputy Tran saw a weapon because Deputy Tran quickly moved to the other side of the vehicle for cover. Witness [redacted] saw the driver (Suspect Miranda) exit the vehicle and point a handgun over the hood of the vehicle at Deputy Tran. Witness [redacted] saw Suspect Miranda and Deputy Tran exchange gunfire and heard between four to ten gunshots.

During the exchange of gunfire, Witness [redacted] ducked down behind a parked vehicle for approximately 30 seconds. When Witness [redacted] looked back across the street he saw one person running southbound, away from the crashed vehicle and out of view.

Witness [redacted]

On the evening of the incident, Witness [redacted] was interviewed by Deputy Banuelos, #[redacted], see supplemental report **[EXHIBIT A, EXHIBIT E, Video #21]**.
On August 27, 2021, an IAB investigator conducted a telephonic interview with Witness [redacted] The following is a summary of his interview.

On the evening of the incident, Witness [redacted] was with [redacted], Witness [redacted] while inside the Sunright Tea Studio. Witness [redacted] heard a vehicle crash outside. After hearing the vehicle crash Witness [redacted] walked outside the tea shop and looked across the street. He saw a vehicle crashed into a street pole at the southeast corner of Gale Avenue and Plaza Drive. Witness [redacted] saw a police officer (Deputy Tran) standing at the open driver's side door of the crashed vehicle. Deputy Tran appeared to be struggling to pull the driver (Suspect Miranda) out of the vehicle. Witness [redacted] saw Suspect Miranda retrieve an object from his waistband area and saw Deputy Tran immediately run to the front of the crashed vehicle and began shooting into the vehicle.

Witness [redacted] ducked down behind a car in the parking lot and stayed down for approximately 20 seconds. Upon looking back across the street, he saw Suspect Miranda slowly jogging southbound into the FedEx Plaza parking lot. He saw Deputy Tran following the Suspect Miranda for approximately a few more seconds until they were both out of his view. Witness [redacted] did not hear any verbal exchange between Deputy Tran and Suspect Miranda due to their distance across the street.

Witness [redacted]

On the evening of the incident, Witness [redacted] was interviewed by Deputy Ortiz, #[redacted], see supplemental report **[EXHIBIT A]**.

On August 27, 2021, an IAB investigator conducted a telephonic interview with Witness [redacted]. The following is a summary of her interview.

On the evening of the incident, Witness [redacted], and [redacted], Witness [redacted], were sitting inside their parked vehicle. Their vehicle was parked in the southwest corner of the FedEx Plaza parking lot. Witness [redacted] heard a

vehicle crash near the north entrance of the parking lot. After hearing the vehicle crash, she stayed in her parking spot for approximately one minute. She saw a vehicle had crashed into a pole and that there was smoke coming from the front of the car. After approximately one minute, Witness [redacted] decided to drive toward the vehicle crash to see if help was needed. She saw a sheriff's deputy (Deputy Tran) arrived at the location.

Witness [redacted] parked her vehicle approximately 30-50 feet to the west from the crashed vehicle.

Witness [redacted] saw Deputy Tran running toward the driver's side of the crashed vehicle while shouting. She was unable to make out what was being said. She saw Suspect Miranda exit the crashed vehicle and point a black handgun at Deputy Tran. Witness [redacted] saw Suspect Miranda fire one to two times at Deputy Tran who then moved to the opposite side of the crashed vehicle. She heard an additional three to four gunshots. Witness [redacted] believed Suspect Miranda and Deputy Tran were exchanging gunfire. She saw Suspect Miranda duck down while keeping his black handgun aimed at Deputy Tran.

Witness [redacted] saw Suspect Miranda run southbound past Deputy Tran toward the plaza parking lot. Suspect Miranda ran along the west wall of the building directly in front the crashed vehicle. Witness [redacted] saw Suspect Miranda raise his right hand and throw the black handgun into the air. Suspect Miranda continued to quickly walk southbound further into the parking lot. Deputy Tran followed behind Suspect Miranda from an estimated distance of 10-15 feet. Due to the distance, darkness, and bushes in the parking lot, Witness [redacted] partially lost sight of Deputy Tran and Suspect Miranda; however, she was able to see Suspect Miranda lying on the ground and Deputy Tran was standing over him as additional deputies arrived.

Witness [redacted]

On the evening of the incident, Witness [redacted] was interviewed by Deputy De Oliveira, #[redacted], see supplemental report **[EXHIBIT A, EXHIBIT E, Video #25]**.

On August 27, 2021, an IAB investigator conducted a telephonic interview with Witness [redacted]. The following is a summary of her interview.

On the evening of the incident, Witness [redacted] was with [redacted], Witness [redacted], in the southwest corner of the FedEx Plaza parking lot. As they sat in their vehicle, she heard a vehicle crash near the north entrance. Soon after the crash they drove to a parking spot near the crashed vehicle. Upon parking near the crashed vehicle, Witness [redacted] saw a sheriff's deputy (Deputy Tran) driving fast with the lights and siren on. Deputy Tran got out of his patrol vehicle and pointed a handgun at Suspect Miranda, who was standing outside of the crashed vehicle. Witness [redacted] had rolled up her window and was unable to clearly hear what Deputy Tran was yelling at Suspect Miranda.

Deputy Tran and Suspect Miranda began to shoot at each other from opposite sides of the crashed vehicle. She recalled hearing approximately three gunshots. She recalled seeing Suspect Miranda quickly walk southbound, away from the crashed vehicle, and into the parking lot. As Suspect Miranda quickly walked southbound, Witness [redacted] saw him throw an object into the air, which she believed to be a handgun. Suspect Miranda continued to quickly walk southbound in the parking lot with Deputy Tran following close behind. Witness [redacted] saw Suspect Miranda somehow ended up face down on the ground as Deputy Tran stood over him. Soon after, multiple sheriff's deputies arrived.

Witness [redacted]

On the evening of the incident, Witness [redacted] was interviewed by Operation Safe Streets (OSS) detectives, see supplemental report **[EXHIBIT A]**.

On September 7, 2021, IAB investigators interviewed Witness [redacted] at his residence in the city of La Puente. The following is a summary of his interview.

On the evening of the incident, Witness [redacted] was a passenger in Suspect Miranda's vehicle. Witness [redacted] had been a friend of Suspect Miranda's for the past eight years. On the evening of the incident, Witness [redacted] had consumed approximately three 24-ounce cans of "Budweiser" beer. Witness [redacted] told IAB investigators he had not seen Suspect Miranda consume alcohol or ingest narcotics during the evening.

Witness [redacted] and Suspect Miranda were traveling southbound on Azusa Avenue when they stopped at a red light at Gale Avenue. Suspect Miranda made a quick left turn, to proceed eastbound onto Gale Avenue, when Witness [redacted] saw a police vehicle stopped at the red light. Witness [redacted] knew the front fender and headlights of Suspect Miranda's vehicle were missing. Witness [redacted] assumed that due to the dark evening hours, he and Suspect Miranda would be pulled over for not having the headlights on. Witness [redacted] did not know if Suspect Miranda had seen the police vehicle in the intersection. When Suspect Miranda made his quick left turn onto Gale Avenue, he accelerated eastbound at a high rate of speed.

Witness [redacted] looked into the passenger side mirror and saw the police vehicle had turned on its emergency lights and made him believe they were about to be pulled over. Witness [redacted] did not know if Suspect Miranda was aware that the police vehicle had turned its light on.

Witness [redacted] said Suspect Miranda had driven away from the intersection so fast, he was unable to turn his body around to see if the police vehicle was behind them. Suspect Miranda continued driving westbound on Gale Avenue and eventually lost control of his vehicle, and crashed into a pole. Without speaking to Suspect Miranda, Witness [redacted] immediately exited the vehicle and ran southbound through the FedEx Plaza parking lot. As Witness [redacted] ran southbound through the parking lot,

he heard three or four gunshots, and assumed the police were shooting at him. As he ran away from the scene, Witness [redacted] called [redacted], [redacted] and told her the police were shooting at him.

> **IAB NOTE:** [redacted] [redacted] refused to speak with an IAB investigator. Refer to audio of interview refusal by [redacted] [redacted] **[EXHIBIT E]**.

Witness [redacted] was picked up near the scene of the incident, but he did not provide additional information to IAB investigators. Witness [redacted] told IAB investigators he had not seen Suspect Miranda with a firearm on the evening of the incident.

Witness [redacted] stated that several hours after the incident, OSS detectives arrived at his residence and escorted him to the Industry Sheriff's station for questioning.

<u>SUSPECT STATEMENTS</u>

Subject Brian Miranda

On the evening of the incident Suspect Miranda was interviewed by OSS detectives, see supplemental report **[EXHIBIT A]** and transcripts.

On September 22, 2021, Suspect Miranda was interviewed by IAB investigators at Men's Central Jail inside the 2000 Floor Sergeant's office. The following is a summary of his interview.

During his IAB interview, Suspect Miranda stated he could not recall many details of the evening because he had been high on narcotics. Suspect Miranda stated the detailed information was only learned by him after reading police reports during his court trial.

Suspect Miranda stated that on the evening of the incident, he was driving his burgundy colored 2018 Dodge Challenger. Suspect Miranda did not admit to having Witness [redacted] [redacted] in the vehicle with him but referred to the passenger in his vehicle as "[redacted] without providing additional information.

Suspect Miranda stated he had injected a 100 CC (cubic centimeter) syringe containing a mix of methamphetamine and heroin into his body. Suspect Miranda was high on the narcotic mix as he drove his Dodge Challenger southbound on Azusa Avenue and stopped at a red light at Gale Avenue. Suspect Miranda was extremely familiar with the section of roadway on Gale Avenue, between Azusa Avenue and Fullerton Road. Suspect Miranda regularly drives at an extremely high rate of speed on that section of Gale Avenue. On that section of road, he said he could "eat the curves" without a problem **[IAB Transcripts, pages 4-5]**.

After stopping at the red light at Azusa Avenue and Gale Avenue, Suspect Miranda turned and accelerated westbound onto Gale Avenue at a high rate of speed through the intersection and around a curve. As Suspect Miranda continued at a high rate of

speed westbound on Gale Avenue, he did not see or hear any police vehicles behind him. He did not recall how he lost control of his vehicle, but he knew he had crashed into a pole at the intersection Gale Avenue and Plaza Drive.

Suspect Miranda could only remember parts of the evening due to his narcotic use. He recalled being seated on the driver's seat and a deputy (Deputy Tran) shooting him in the chest with a Taser. He recalled ducking down on his seat as he heard Deputy Tran shooting at him. Deputy Tran fired approximately 11 shots at him. After ducking down during the shooting, Suspect Miranda jumped out of his car seat. His next memory was being followed by Deputy Tran as he walked southbound through a parking lot. Deputy Tran had his handgun out and pointed at Suspect Miranda. He recalled standing and being pepper sprayed by Deputy Tran. Suspect Miranda stated he had no other memory of the incident.

SH-AD-32A (8/17)

COUNTY OF LOS ANGELES

SHERIFF'S DEPARTMENT

"A Tradition of Service Since 1850"

DATE: January 18, 2022

FILE NO: 921-01717-1418-055

OFFICE CORRESPONDENCE

FROM: WILLIAM E. JAEGER, COMMANDER
PROFESSIONAL STANDARDS
DIVISION

TO: RICK O. RECTOR, CAPTAIN
INDUSTRY STATION

SUBJECT: **EXECUTIVE FORCE REVIEW COMMITTEE FINDINGS**

Case Number:	FO2526118
Incident:	Category 3 Use of Force
Incident Date:	February 16, 2021
Unit:	Industry Station
Suspect(s):	Miranda, Brian, MH/070284
Involved Employees:	Deputy John Tran, #[redacted]
EFRC Date:	January 6, 2022

The Executive Force Review Committee (EFRC) consisting of Commanders Jason A. Skeen, Jose J. Rios, and William E. Jaeger (Chair) met and reviewed the above case.

FINDINGS:

The EFRC determined the use of force was within Department policy.

The EFRC determined the foot pursuit, and the tactics used were not within Department policy.

The facts in this investigation supports the following charge:

1. That in violation of Department Manual of Policy and Procedures Sections 3-01/030.01, Obedience to Laws, Regulations and Orders, as it pertains to Section 3-06/200.08, Body Worn Cameras – Activation, on or about February 16, 2021, while on-duty and assigned to Industry Station as Unit 141T5, Subject John P. Tran

failed to adhere to Department policies and/or procedures established for patrol trained personnel, when he failed to activate his assigned Department body worn camera, prior to initiating a vehicle stop and/or at the onset of a traffic collision investigation.

2. That in violation of Department Manual of Policy and Procedures Sections 3-01/030.10, Obedience to Laws, Regulations and Orders [as it pertains to Section 5-09/200.35, Code 3 Vehicle Operations and Tactics], on or about February 16, 2021, while on-duty and assigned to Industry Station as Unit 141T5, Subject John P. Tran failed to employ sound vehicle operations and tactics when he attempted to initiate a traffic violation investigation, as evidenced by, but not limited to the following:

   a) utilizing his patrol vehicle's rotating lights, but not the vehicle's siren, while maneuvering his patrol vehicle in and out of traffic, in an effort to relocate the vehicle; and/or,

   b) failing to coordinate and/or communicate his initial efforts and observations with fellow on-duty Industry Station units, as he attempted to relocate the vehicle.

3. That in violation of Department Manual of Policy and Procedures Sections 3-01/030.10, Obedience to Laws, Regulations and Orders [as it pertains to 5-09/220/50, Foot Pursuits], on or about February 16, 2021, while on-duty and assigned to Industry Station as a patrol trained deputy sheriff, Subject John P. Tran placed himself in an inherently dangerous situation when he engaged in a one-person foot pursuit of an individual he had just been involved in a shooting with, as evidenced by, but not limited to the following:

   a) providing limited details to and/or having limited communication with responding units, after being involved in a shooting; and/or,

   b) failing to initiate and broadcast a containment in an effort to safely apprehend Mr. Miranda; and/or,

   c) continuing to pursue Mr. Miranda too closely and/or without cover, as responding units were en-route; and/or,

   d) approaching Mr. Miranda in an effort to apprehend and/or handcuff him, without assisting deputies on scene.

RECOMMENDATIONS:

Based on an assessment of mitigating and aggravating factors, the EFRC Panel recommended Subject Tran #[redacted] receive a suspension with loss of pay and benefits for **three (3) days.**

The EFRC Panel also recommended Subject Tran attend the following Department training course(s):

1. **Tactics and Survival – Critical Incident Response (High Risk Contacts)** (key points: tactical communication and decision making) and;
2. **Strategic Communications** (key point: tactical communication).

Acting Chief Elier Morejon concurred with the panel's recommendation.

WEJ:DJW:djw